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1992 Constitution of the Republic of Paraguay

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1992 Constitution of the Republic of Paraguay

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1992 Constitution of the Republic of Paraguay

[Text of the new Paraguayan Constitution approved by the National Constituent Assembly at the Central Bank Convention Hall in Asuncion on 20 Jun 1992]

[Text]

Preamble

Through their legitimate representatives convening at the National Constituent Assembly; pleading to God; recognizing human dignity for the purpose of ensuring freedom, equality and justice; reaffirming the principles of a representative, participatory, pluralistic republican democracy; upholding national sovereignty and independence; and joining the international community; the Paraguayan people hereby approve and promulgate this Constitution.

Part I - About Basic Principles, Rights, Duties, and Guarantees

Title I - About Basic Principles

Article 1. About the Type of State and Government

The Republic of Paraguay, which is constituted as a social state of law, is and will always be free and independent. It is a united, indivisible, and decentralized state as prescribed by this Constitution and the laws.

The Republic of Paraguay adopts as its system of government a representative, participatory, and pluralistic democracy, which is founded on the recognition of human dignity.

Article 2. About Sovereignty

The sovereignty of Republic of Paraguay rests with the people, who exercise it in accordance with the provisions of this Constitution.

Article 3. About Public Powers

The people exercise public powers through their right to vote. The government exercises the legislative, executive, and judicial powers through a system in which the three branches of government are kept separate, independent, coordinated, and with mutual checks and balances. Neither of these branches may claim for itself or may grant to another branch, any individual, or group, either special powers or all of public powers. Dictatorship is against the law.

Title II - Rights, Duties, and Guarantees

Chapter I - About Life and the Environment

Section I - About Life

Article 4. About the Right to Life

The right to life is inherent to the human being. Life is protected, in general, after the time of conception. The death penalty is hereby abolished. The State will protect each individual's physical and psychological integrity as well as his honor and reputation. The law will regulate the freedom to dispose of body parts, but only for scientific or medical purposes.

Article 5. About Torture and Other Crimes

No one will be subjected to torture or to cruel, inhuman, or degrading punishment or treatment.

Genocide, torture, the use of force to make people disappear, and homicide for political reasons are crimes that will not fall under the statute of limitations.

Article 6. About the Quality of Life

The State will promote the quality of life through plans and policies that are focused on conditioning factors, such as extreme poverty and physical impairment stemming from disability or age.

The State will also promote research on population factors and their links with socioeconomic development, the preservation of the environment, and the quality of life for the people.

Section II - About the Environment

Article 7. About the Right to a Healthy Environment

Everyone has the right to live in a healthy, ecologically balanced environment.

The preservation, recovery, and improvement of the environment, as well as efforts to reconcile these goals with comprehensive human development, are priority objectives of social interest. The respective laws and government policies will seek to meet these objectives.

Article 8. About Environmental Protection

Those activities that are likely to cause environmental changes will be regulated by law. Similarly, the law may restrict or prohibit those activities that are considered hazardous.

The manufacturing, possession, or use of nuclear, chemical, or biological weapons, as well as the introduction of toxic waste into the country, are hereby prohibited. The law may be extended to other hazardous elements. It will also regulate the trafficking of genetic resources and related technology to protect national interests.

A law will define and establish sanctions for ecological crimes. Any damage to the environment will entail an obligation to restore and to pay for damages.

Chapter II - About Freedom

Article 9. About Individual Freedom and Security

Everyone has the right to have his freedom and security protected.

No one may be forced to do anything that is not mandated by law, and no one may be prevented from doing something that is not prohibited by law.

Article 10. About Proscription of Slavery and Other Forms of Servitude

Slavery, personal servitude, and the trafficking in people are hereby proscribed.

Individuals may be required by law to perform public duties in favor of the State.

Article 11. About Deprivation of Freedom

No one will be deprived of his physical freedom or brought to justice, except under causes and conditions established by this Constitution and the law.

Article 12. About Detention and Arrest

No one will be detained or arrested without a written order issued by a competent authority, except for those caught in flagrante delicto in relation to a crime punishable with a prison sentence. All arrested persons have the right:

1) To be informed at the time of the arrest of the reason for the arrest, and of his right to remain silent and to be assisted by a defender of his trust. The official conducting the arrest must produce an arrest warrant at the time of the arrest;
2) To have family members or individuals designated by him immediately informed of his arrest;
3) To have free communication except when, by way of an exception, he is ordered to be held incommunicado by virtue of a founded decision issued by a competent judicial authority. His incommunicado status, which cannot exceed the deadline established by law, will not prevent him from contacting his defense attorney;
4) To have an interpreter, if necessary; and
5) To be brought before a competent judge within 24 hours of his arrest so that the judge may take appropriate legal decisions in the case.

Article 13. About Debts Not Being Cause for Imprisonment

No one will be deprived of his freedom by reason of debt, except in cases when a competent judicial authority issues an arrest warrant against someone who has failed to comply with child support and other sustenance payments or who has to serve time in lieu of fines or judicial bonds.

Article 14. About the Nonretroactivity of Laws

No law will be retroactive, except those which benefit a defendant or convict.

Article 15. About the Prohibition of Taking the Law Into One's Own Hands

No one may take the law into his own hands or use violence to demand his rights. The right to self-defense is, however, guaranteed.

Article 16. About Defense in Court

Everyone has the inalienable right to defend himself and his rights in court. Everyone has the right to have his case heard by competent, independent, and impartial judges and courts.

Article 17. About Procedural Rights

In a criminal process or in any other process in which a punishment or sanction could be handed down, everyone has the right:

1) To be presumed innocent;
2) To stand a public trial, except for special cases in which the presiding judge may consider it necessary to do otherwise to safeguard the rights of others;
3) To be sentenced only at the end of a trial based on a law that was already in force when the criminal offense was committed, and not to be tried by special tribunals;
4) To not stand trial more than once for the same offense. Closed trials cannot be reopened, except to revise sentences to benefit the convicted individual in those cases prescribed in procedural laws;
5) To defend himself or to be assisted by defenders of his choice;
6) To have a public defender at the State's expense if he cannot afford to pay attorney's fees;
7) To have in advance a detailed list of the charges against him, as well as copies of relevant documents, the means, and the essential time that is needed to prepare for his defense while in free communication;
8) To offer, produce, check, and reject evidence;
9) To have the court dismiss any evidence produced or proceedings carried out in violation of legal provisions;
10) To have access, either personally or through his defender, to all proceedings, which, under no circumstance, may be kept secret from him. The pretrial inquest stage cannot extend beyond the deadline established by law;
11) To be indemnified by the State if he was convicted because of a judicial error.

Article 18. About Restrictions on Questioning

No one may be forced to give testimony against himself, against his legitimate or common-law spouse, or against blood relatives of up to the fourth degree and relatives by marriage of up to the second degree.

Illegal acts committed by, or the dishonor brought upon, a defendant will not affect his relatives or next-of-kin.

Article 19. About Preventive Imprisonment

The preventive imprisonment of a defendant will be ordered only when it is essential for the case proceedings. It should in no way extend beyond the minimum sentence established for the crime being investigated, in keeping with the classification of it made by the judge in his respective resolution.

Article 20. About the Objective of Sentences

Prison sentences seek to rehabilitate convicted criminals and to protect society.

Confiscation assets and exile are proscribed as punishments.

Article 21. About the Imprisonment of People

Those people deprived of their freedom will be kept in adequate establishments, in which the mixture of sexes should be avoided. Minors will not share the same establishments with adults.

Those defendants remanded to preventive custody will stay in places other than those designed for convicted inmates.

Article 22. About Reporting on Court Cases

Any publication on pending court cases must not appear to prejudge.

A defendant must not be considered guilty until the sentence against him becomes final.

Article 23. About Efforts To Prove That Allegations are True

Evidence that seeks to prove that allegations are true and notorious will not be admissible in court cases that stem from publications affecting the honor, reputation, and dignity of individuals if those allegations refer to private penal crimes or to private behavior that this Constitution or the laws have declared to be exempted from the authority of the courts.

This type of evidence will be admissible in cases prompted by the publication of public criticism of government officials and in other cases expressly established by law.

Article 24. About Religious and Ideological Freedom

Freedom of religion, worship, and ideology is hereby recognized without any restrictions other than those established in this Constitution and the law. The State has no official religion.

Relations between the State and the Catholic Church are based on independence, cooperation, and autonomy.

The independence and autonomy of all churches and religious denominations, without restrictions other than those imposed by this Constitution and the law, are hereby guaranteed.

No one may be disturbed, questioned, or forced to give testimony by reason of his beliefs or ideology.

Article 25. About the Expression of One's Personality

Everyone has the right to freely express his personality, to be creative, and to forge his own identity and image. Ideological pluralism is hereby guaranteed.

Article 26. About Freedom of Expression and of the Press

The free expression and dissemination of thoughts and opinions without any type of censorship are hereby guaranteed. No law will be passed that could restrict or make these rights unfeasible. There will be no press crimes; they will be considered common crimes committed through the press.

Everyone has the right to generate, process, or disseminate information and to use any legal, effective instrument to achieve these goals.

Article 27. About the Use of the Mass Communications Media

The operation of mass communications media organizations is of public interest; therefore, they cannot be closed or suspended.

No press organization that lacks responsible management will be permitted.

Any discriminatory practice in providing press supplies and the jamming of radio frequencies are hereby prohibited. Any action aimed at obstructing in any way the free circulation, distribution, and sale of periodicals, books, magazines, or other publications managed by responsible directors or authors is also prohibited. A pluralistic system whereby every sector has the right to voice its opinion is hereby guaranteed. Publications will be regulated by law to better protect the rights of children, youths, illiterates, consumers, and women.

Article 28. About the Right To Be Informed

The people's right to receive true, responsible, and equitable information is hereby recognized.

Everyone has the right to free access to public sources of information. The laws will regulate the procedures and deadlines required to guarantee this right, as well as punishments for failure to comply with it.

Anyone affected by the dissemination of false, distorted, or ambiguous information has, in addition to other compensatory rights, the right to demand that the offending media organization rectify or clarify the report under the same conditions in which it was originally conveyed.

Article 29. About the Right To Practice Journalism

The practice of journalism, in all its forms, is free and is not subject to prior authorization. In discharging their duties, journalists of mass communications media organizations will not be forced to act against the dictates of their conscience or to reveal their sources of information.

A columnist has the right to publish his opinion uncensored in the newspaper for which he works as long as his work bears his signature. The newspaper management may exempt itself from any responsibility by stating its disagreement with the columnist.

The right each journalist has to the product of his intellectual, artistic, or photographic work, irrespective of his techniques, is hereby recognized under the terms of the law.

Article 30. About Electromagnetic Communications Signals

The transmission and programming of electromagnetic communication signals fall within the public domain of the State which, exercising its national sovereignty, will promote the full use of these signals in keeping with the rights of the Republic and ratified international agreements.

The law will ensure equal opportunities for everyone to have free access to the electromagnetic spectrum, as well as the electronic instruments used to collect and to process public information, without limitations other than those imposed by international regulations and technical rules. Government officials may not violate personal or family privacy or the other fundamental rights established by this Constitution.

Article 31. About State Mass Communications Media

The infrastructure and operation of mass media organizations subordinated to the State will be regulated by law. Guarantees and equal opportunities must be given to all social and political sectors, ensuring them democratic and pluralistic access to these organizations.

Article 32. About Freedom of Assembly and Demonstration

Everyone has the right to assemble and to demonstrate peacefully, without carrying weapons and with legal purpose,

without having to ask the authorization of the respective authorities. Everyone has the right to not attend this type of meeting. The law can only regulate the exercise of this right in areas of public traffic control, at certain hours, to preserve public order and the rights of others as established by law.

Article 33. About the Right to Privacy

Personal and family privacy, as well as the respect of private life, are inviolable. Individual behavior that does not affect public order established by law or the rights of third parties are exempted from the authority of public officials.

The protection of the privacy, dignity, and private image of each individual is hereby guaranteed.

Article 34. About the Inviolability of Private Premises

Every private premises is inviolable. Private premises can only be raided or closed by a court order in accordance with the law. By way of exception, they can be raided or closed without a court order in case of flagrante delicto or to prevent the imminent perpetration of a crime or to avoid personal harm or property damage.

Article 35. About Identification Documents

Identification documents, personal certificates, or licenses, cannot be seized or retained by government officials, who cannot deprive any individual of these documents except in those cases established by law.

Article 36. About the Inviolability of Personal Documents and Private Correspondence

Personal documents are inviolable. Records, regardless of the technique used; accountings; printed matter; correspondence; writings; telephonic, telegraphic, or any other type of communications; collections or reproductions; and testimonies or objects of testimonial value, as well as their respective copies, cannot be reviewed, reproduced, intercepted, or seized unless a court order is issued in specific cases established in the law, and then only when action are essential for clearing up matters falling within the jurisdiction of the respective competent authorities. The law will establish special procedures for reviewing commercial accounting books and mandatory record books.

Evidence obtained in violation of the above provisions is not admissible in court.

In every case, strict reservation will be observed regarding matters irrelevant to the investigation.

Article 37. About the Right to Conscientious Objection

The right to conscientious objection for ethical or religious reasons is hereby recognized for those cases in which this Constitution and the law permits.

Article 38. About the Right To Defend Common Interests

Everyone has the right, either individually or within a group, to demand that public officials adopt measures to defend the environment, the preservation of the habitat, public health, national cultural heritage, the interests of consumers, and other areas that, because of their legal nature, pertain to the community and are related to the quality of life and to property belonging to the community.

Article 39. About the Right to Just, Adequate Indemnification

Everyone has the right to just, adequate indemnification for damage or prejudice he may have sustained as a result of actions by the State. The law will regulate this right.

Article 40. About the Right To Petition Authorities

Everyone, either individually or within a group, and without having to meet any special requirement, has the right to make written petitions to government authorities, who will have to respond within the established legal deadline. If no response is received within this deadline, it will be assumed that the petition has been denied.

Article 41. About the Right To Move From One Place to Another and To Reside in the Fatherland

Every Paraguayan has the right to reside in his fatherland. Residents may freely move from one place to another throughout the national territory to change their place of residence, to leave the Republic or return to it, and, in accordance with the law, to incorporate their assets into the country or to remove them. Migration will be regulated by law, taking into account these rights.

The entry into the country of foreigners having no final residence papers will be regulated by law, taking into account international conventions governing this matter.

Foreigners who have been granted final residence papers cannot be forced to leave the country, except when an order to this effect has been issued through a court ruling.

Article 42. About Freedom of Association

Everyone is free to join associations or unions with legal purposes. No one can be forced to join any association. The law will establish procedures for joining professional associations.

Secret associations, as well as those of a paramilitary nature, are hereby prohibited.

Article 43. About the Right to Asylum

Paraguay recognizes the right to territorial and diplomatic asylum to anyone persecuted for political reasons or for related common crimes or for his opinions or beliefs. Government authorities will have to immediately issue the respective personal and safe-conduct documents.

No one who has been granted political asylum will be forced to go to the country whose authorities are persecuting him.

Article 44. About Taxes

No one will be forced to pay taxes or to provide personal services that had not been previously and expressly established by law. No one will be forced to post excessive bail bonds or to pay outrageous fines.

Article 45. About Undeclared Rights and Guarantees

The rights and guarantees contained in this Constitution must not be interpreted to preclude others that, despite being inherent to human personality, are not specified herein. The lack of a law of implementation is no excuse to either deny or curtail any right or guarantee.

Chapter III - About Equality

Article 46. About All Persons Being Equal

All residents of the Republic are equal as far as dignity and rights are concerned. No discrimination is permitted. The State will remove all obstacles and prevent those factors that support or promote discrimination.

Guarantees aimed at preventing unfair inequalities will not be considered discriminatory, but egalitarian factors.

Article 47. About Guarantees for Equality

The State will guarantee every inhabitant of the Republic:
1) Equality in access to justice, for which purpose it will remove every obstacle that could prevent it;
2) Equality before the law;
3) Equal access to a nonelective public office, without any requirement other than being competent for the job; and
4) Equal opportunities in the benefits of nature, in material assets, and in culture.

Article 48. About Equal Rights for Men and Women

Men and women have equal civil, political, social, and cultural rights. The State will create conditions conducive to, and will create adequate mechanisms for, making this equality true and effective by removing those obstacles that could prevent or curtail this equality as well as by promoting women's participation in every sector of national life.

Chapter IV - About Family Rights

Article 49. About Protection of the Family

The family is the foundation of society. Full protection for the family will be promoted and guaranteed. The family is the stable union of a man and a woman, their children, and the community formed by either of the parents with their descendants.

Article 50. About the Right To Constitute a Family

Everyone has the right to constitute a family, in its formation and development under which a man and a woman will have the same rights and obligations.

Article 51. About Legal Marriages and the Effects of Common-Law Marriages

The law will establish the formalities to be observed for the marriage between a man and a woman, the requirements for it, and the causes for separation or dissolution and its effects, as well as property management provisions and other rights and obligations for both spouses.

A common-law marriage between a man and a woman having no legal impediments to get married and engaging in a stable, monogamous relationship will produce similar effects to that of a legal marriage, in accordance with the provisions established by the law.

Article 52. About the Union in Marriage

The union in marriage by a man and woman is one of the fundamental factors in the formation of a family.

Article 53. About Children

Every parent has the right and obligation to care for, to feed, to educate, and to support his children while they are minors. The laws will punish those parents who fail to comply with their duty to provide their children with food.

Children who are no longer minors must provide assistance to their parents if necessary.

The laws will regulate the assistance that should be given to large families and to women who head families.

All children are equal before the law. This makes it possible for every child to investigate who his parents are. It is hereby forbidden to classify a child in any personal documentation.

Article 54. About the Required Protection for a Child

Families, society, and the State have the obligation of guaranteeing a child the right to a harmonious, comprehensive development, as well as the right to fully exercise his rights by protecting him against abandonment, undernourishment, violence, abuse, trafficking, or exploitation. Anyone can demand that a competent authority comply with these guarantees and punish those who fail to comply with them.

In case of conflict, the rights of a child will prevail.

Article 55. About Maternity and Paternity

Responsible maternity and paternity will be protected by the State, which will promote the creation of the necessary institutions to this end.

Article 56. About Youth

The State will promote conditions conducive to the active participation by the young people in the political, socioeconomic, and cultural development of the country.

Article 57. About Senior Citizens

Every senior citizen has the right to receive full protection by his family, society, and the State. State organizations will promote the well-being of senior citizens by providing them with social services to meet their needs for food, health, housing, culture, and leisure.

Article 58. About the Rights of Exceptional People

Families, society, and the State will guarantee health care for exceptional persons, as well as education, recreation, and professional training so that they may be fully integrated into society.

The State will formulate a policy for the prevention, treatment, rehabilitation, and integration into society of physically disabled and psychologically or sensorially impaired individuals, who will be entitled to receive the specialized care they need. These people are entitled to equal opportunities to enjoy the rights guaranteed by this Constitution to every inhabitant of the Republic, seeking to offset their disadvantages.

Article 59. About Family Property

Family property is hereby recognized as an institution of a social interest. The law will implement a system under which it will operate. Family property will consist of the family house or estate and its furniture and working tools, which cannot be subjected to any attachment.

Article 60. About Protection Against Violence

The State will promote policies aimed at preventing violence within the family and other causes that undermine family solidarity.

Article 61. About Family Planning and Maternal-Child Health Care

The State recognizes the right of everyone to freely and responsibly decide the number of children they plan to have, as well as the time span between one child and another. Through a coordinated effort with the appropriate organizations, they are also entitled to receive education, scientific guidance, and adequate services.

Special plans will be implemented to ensure reproductive health and maternal-child health care for low-income people.

Chapter V - About Indian Peoples

Article 62. About Indian Peoples and Ethnic Groups

This Constitution recognizes the existence of Indian peoples, who are ethnic groups whose culture existed before the formation and constitution of the State of Paraguay.

Article 63. About Ethnic Identity

The right of Indian peoples to preserve and to develop their ethnic identity in their respective habitat is hereby recognized and guaranteed. They also have the right to freely apply their systems of political, socioeconomic, cultural, and religious organization, and to voluntarily observe customary practices in their domestic coexistence as long as they do not violate the fundamental rights established by this Constitution. Indian customary rights will be taken into account when deciding conflicts of jurisdiction.

Article 64. About Property Owned by the Community

Indian peoples have the right, as communities, to a shared ownership of a piece of land, which will be sufficient both in terms of size and quality for them to preserve and to develop their respective lifestyles. The State will provide them with land, free of charge. Their land, which will be exempt from attachments, cannot be divided, transferred, or affected by the statute of limitations. Nor can it be leased or used as collateral for contractual obligations. It will also be exempt from taxes.

The removal or transfer of Indian groups from their habitat, without their express consent, is hereby prohibited.

Article 65. About the Right To Participate

The right of Indian peoples to participate in the political, socioeconomic, and cultural life of the country in accordance with their customary practices, the Constitution, and the laws, is hereby guaranteed.

Article 66. About Education and Assistance

The State will respect the cultural heritage of Indian peoples, especially regarding their formal education. At their request, the State will also defend them against demographic decline, the degradation of their habitat, environmental contamination, economic exploitation, and cultural alienation.

Article 67. About Exemptions

Members of Indian groups are exempted from the obligation to provide social services, civil or military, as well as from discharging those public duties established by law.

Chapter VI - About Health

Article 68. About Health Rights

The State will protect and promote human health as a fundamental right of each person and in the best interests of the community.

No one will be deprived of public assistance to prevent or treat diseases, pests, or plagues or of aid in case of disasters or accidents.

Everyone must observe the health measures established by law, within a framework of respect for human dignity.

Article 69. About the National Health System

The State will promote a national health system to implement comprehensive health actions through policies that will result in concerted actions and in the coordination of related programs and resources from the private and public sectors.

Article 70. About a Social Welfare System

The law will establish social welfare programs by implementing strategies based on health education and community participation.

Article 71. About the Drug Trade, Drug Addiction, and Rehabilitation

The State will repress the production and illegal trafficking in narcotic substances and other dangerous drugs and act against the laundering of money obtained through these activities. Similarly, it will also fight the illegal consumption of these drugs. The laws will regulate the use of these drugs for medical purposes.

Preventive education programs and rehabilitation programs for addicts will be established with the participation of private organizations.

Article 72. About Quality Control

The State will implement quality control procedures for food, chemical, pharmaceutical, and biological products throughout the production, import, and marketing stages. It will also enable low-income sectors to have access to basic medical supplies.

Chapter VII - About Education and Culture

Article 73. About the Right to Education and its Goals

Everyone has the right to a comprehensive, permanent educational system, conceived as a process within the cultural context of the community. The system is designed to promote the full development of human personality, to preserve freedom and peace, to promote social justice, solidarity, cooperation, and integration of all peoples, and to strengthen our commitment to the fatherland and our cultural identity. It also seeks to promote the intellectual,

moral, and civic growth of the individual, as well as the elimination of any educational programs of a discriminatory nature.

The elimination of illiteracy and the implementation of job training programs are permanent objectives of the educational system.

Article 74. About the Right To Learn and the Freedom To Teach

The right to learn and to have equal access opportunities to the benefits of humanistic culture, science, and technology, without any discrimination, is hereby guaranteed.

Freedom to teach, without any requirement other than having ethical integrity and being competent for the job, as well as the right to have a religious education and ideological pluralism are also guaranteed.

Article 75. About Educational Responsibility

The responsibility for education rests with society, especially with each family, municipal government, and with the State.

The State will implement programs to provide nutritional supplements and school supplies to low-income students.

Article 76. About the Obligations of the State

Elementary education is mandatory. It is free in public schools. The State will promote secondary, technical, agricultural, industrial, and higher or university education, as well as scientific and technological research.

It is an essential responsibility of the State to organize the educational system, which encompasses the public and private sectors, as well as activities conducted both inside and outside schools.

Article 77. About Teaching in a Native Language

Teaching in the early school process will be in the official language of which the student is a native speaker. Students will also be taught to learn and to use both official languages of the Republic.

Ethnic minorities, whose native language is not Guarani, may choose either of the two official languages.

Article 78. About Technical Education

The State will promote job training through technical education programs in order to develop the human resources required to achieve national development.

Article 79. About Universities and Higher Education Institutes

Universities and higher education institutes will be primarily designed to train professionals, to conduct scientific and technological research, and to engage in extension programs.

Universities are autonomous institutions. Therefore, they will establish their own bylaws and forms of government and will draft their own study plans in accordance with the national education policy and development plans. Freedom of teaching is hereby guaranteed. Universities, whether public or private, will be created by law. The law will also determine which professions require that an individual must have an university degree in order to practice them.

Article 80. About Funds for Scholarship and Aid

The law will provide for the allocation of funds for scholarships and other types of aid, seeking to promote the intellectual, scientific, technical, or artistic skills of individuals, preferentially of those having meager resources.

Article 81. About the Cultural Heritage

Necessary measures will be adopted for the preservation, redemption, and restoration of objects, documents, or places having a historical, archaeological, paleontological, artistic, or scientific value, as well as their respective physical surroundings, which are part of the cultural heritage of the nation.

The State will define and register those items within the country, and, if necessary, it will take steps to repatriate those located abroad. The appropriate organizations will be charged with safeguarding and redeeming the various forms of unwritten culture and of the collective memory of the nation, in cooperation with individuals seeking the same objective. The inappropriate or misleading use of these assets, their destruction, deliberate alteration or removal from their original locations, or their sale for export purposes are hereby prohibited.

Article 82. About Recognition of the Catholic Church

The role played by the Catholic Church in the historical and cultural formation of the Republic is hereby recognized.

Article 83. About Cultural Dissemination and Tax Exemptions

Objects, publications, or activities playing a significant role in cultural and educational dissemination will not be affected by municipal or fiscal taxes. The law will regulate these exemptions and will establish a system of benefits for introducing and incorporating into the country the necessary elements for the promotion of the arts and scientific and technological research, as well as for their dissemination both domestically and abroad.

Article 84. About the Promotion of Sports

The State will promote all sports, especially those of an amateur nature that enhance physical education, by providing them with economic support and tax exemptions to be established by law. It will also support national participation in international competitions.

Article 85. About a Minimum Share of the Budget

Resources allocated in the National Budget for education will not be lower than 20 percent of the total amount earmarked for the central government, loans and donations excluded.

Chapter VIII - About Labor

Section I - About Labor Rights

Article 86. About the Right To Work

Every inhabitant of the Republic has the right to a legal job, freely chosen, which he performs under decent, fair conditions.

The laws will protect every form of work. The rights of workers are inalienable by law.

Article 87. About Full Employment

The State will promote policies aimed at promoting full employment and professional training for human resources, and it will give preference to Paraguayan workers.

Article 88. About Nondiscrimination

No discrimination will be permitted against workers for reasons of race, sex, age, religion, social status, political, or union preference.

Special protection will be given to the work of physically or mentally handicapped individuals.

Article 89. About the Work of Women

Workers of both sexes have the same labor rights and obligations, but maternity will be subject to special protection and will include health care services and the appropriate leave, which will not be less than 12 weeks. A woman may not be removed from her work during pregnancy or during her maternity leave.

A law will establish a system of paternity leave.

Article 90. About the Work of Minors

Priority will be given to the rights of working minors to guarantee their normal physical, intellectual, and moral development.

Article 91. About the Hours of Work and Rest

The maximum duration of a regular work schedule will not exceed eight hours daily, 48 hours weekly of daytime work, except for those legally established otherwise for special reasons. A law will establish more favorable schedules for unhealthy, hazardous, painful, or nighttime jobs, or those carried out in rotating shifts.

Annual and other types of leave will be remunerated in accordance with the law.

Article 92. About Remuneration for Work

A worker is entitled to a remuneration that will assure him and his family a free, decent life. The law will establish an adjustable basic vital salary, an annual year-end bonus, family allowances, and salaries above the basic pay for hours of hazardous or risky work, overtime, night and holiday work. Equal work basically merits equal pay.

Article 93. About Additional Benefits to Workers

The State will establish a system of benefits for companies that motivate their workers through remuneration additional to their salaries and other legal benefits.

Article 94. About Job Security and Severance Pay

The right to job security is guaranteed to every worker in accordance with the law, as well as his right to receive severance pay in case of dismissal without legal cause.

Article 95. About Social Security

A mandatory comprehensive social security system for employees and their families will be established by law. Its extension to every sector of the population will be promoted.

Social security services may be public, private, or mixed, but in every case they will be supervised by the State.

The financial resources of the social security system will not be diverted from their specific goals and will be made available for those purposes. This will not preclude lucrative investments that could cause these funds to increase.

Article 96. About Union Freedom

Every public and private worker has the right to organize unions without any prior authorization. Members of the Armed Forces and the police are excluded from this right. Similarly, employers also have the same freedom to form organizations. No one may be forced to join any union.

For a union to be recognized and to operate all that is required is that it be registered at the respective administrative office.

Democratic practices established by law will be observed in the election of union officials, as well as in union operational procedures. The laws will also guarantee job security for union leaders.

Article 97. About Collective Bargaining Agreements

Every union has the right to promote collective actions and to conclude agreements on the terms under which work will be performed.

The State will favor conciliatory solutions to labor conflicts and social agreements. Arbitration will be optional.

Article 98. About the Right To Call a Strike or a Lockout

Every public or private worker has the right to call a strike in case of conflict of interests. Employers also have the right to call a lockout under the same conditions.

The right to call a strike does not benefit members of the Armed Forces or of the police.

The law will regulate the exercise of this right so that it may not affect essential public services.

Article 99. About Compliance With Labor Provisions

Compliance with labor provisions and with safety and health conditions at the workplace will be supervised by authorities created by law, which will also establish sanctions for those violating these provisions.

Article 100. About the Right To Have a House

Every inhabitant of the Republic has the right to decent housing facilities.

The State will establish conditions conducive to the implementation of this right and will promote housing projects of social interest specially designed for low-income families through adequate methods of financing.

Section II - About Public Functions

Article 101. About Public Officials and Employees

Public officials and employees are at the service of the country. Every Paraguayan has the right to hold a public office and job.

The law will regulate the various areas in which these officials and employees can provide their services.

Article 102. About the Labor Rights of Public Officials and Employees

Public officials and employees are entitled to the rights established under the Labor Rights Section of this Constitution, under a standardized system for the various careers and within the limits established by law and safeguarding acquired rights.

Article 103. About a Retirement System

The law will regulate a retirement system for public officials and employees within the framework of the national social security system. The system should guarantee that the self-supported, state-owned organizations created to this end will allow those who are contributing to the system, as well as those who are already retired, to administer these funds under the supervision of the State. Anyone providing some kind of service to the State will be eligible to join the system.

The laws will guarantee the updating of retirement annuities to conform to benefits given to public officials and employees on active duty.

Article 104. About the Mandatory Declaration of Assets and Income

Public officials and employees, including those holding an elective office; those working for state-owned, binational, self-supported, or decentralized companies, and, in general, those who are regularly receiving remunerations from the State, must sign a sworn statement declaring their assets and income by no later than 15 days after their installation and within 15 days after stepping down.

Article 105. About the Prohibition of Earning Two Wages

No individual may hold or receive simultaneously, as a public official or employee, more than one salary or remuneration, except for that which he may obtain through a teaching job.

Article 106. About the Responsibility of Public Officials and Employees

No public official or employee is exempt from liability for his actions. He will be held personally liable for any violation, crime, or minor offense he may have committed while in office. This will not relieve the State from its collateral responsibility. The State will have, however, the right to demand that the offender reimburse it for the payments made because of his wrongdoing.

Chapter IX - About Economic Rights and Agrarian Reform

Section I - About Economic Rights

Article 107. About Free Enterprise

Everyone has the right to engage in any legal economic activity of his choice within a system of equal opportunities.

Competition at the market is hereby guaranteed. The creation of monopolies and the artificial increase or decrease of prices that distort free competition will not be permitted. Usury and the unauthorized trading in harmful items will be punishable under criminal laws.

Article 108. About the Free Circulation of Goods

Goods that are produced or manufactured locally, as well as those foreign goods that have been legally introduced into the country, will freely circulate within the Republic.

Article 109. About Private Property

Private property is hereby guaranteed. The content and limits of it will be established by law, taking into account its socioeconomic function so that everyone may have access to it.

Private property is inviolable.

No one may be deprived of his property, except by virtue of a court ruling. Expropriation for reasons of public use or social interest will be permitted, however, by law on a case-by-case basis. The law will guarantee that, prior to expropriation, just compensation is given to the owner in amounts established either by mutual agreement or through a court ruling, with the exception of unproductive latifundia earmarked for agrarian reform. Expropriation procedures will be established by law.

Article 110. About Copyrights and Intellectual Property Rights

Every author, inventor, producer, or businessman will be entitled to the exclusive ownership of his work, invention, brand, or commercial name, in accordance with the law.

Article 111. About the Transfer of State-Owned Companies

Whenever the State decides to transfer a state-owned company or its shares in such a company to the private sector, it will give preferential option of purchase to the workers and sectors that are directly linked with the company. A law will regulate the way in which this option will be established.

Article 112. About the State Domain

The State has the right of domain over all deposits of hydrocarbons and solid, liquid, or gaseous minerals that are naturally embedded in the territory of the Republic, with the exception of rocky, earthy, or calcareous substances.

The State will grant concessions to individuals or to public, private, or private companies, whether national or foreign, for the prospecting, exploration, research, or exploitation of deposits for a limited period of time.

The law will regulate an economic system that should adequately consider the interests of the State, the concessionaires, and the owners of land that may be affected.

Article 113. About the Promotion of Cooperatives

The State will promote cooperative enterprises and other forms of association for the production of goods and services based on solidarity and social benefits. The State will guarantee the free organization and autonomy of these enterprises.

The principles of cooperativism, as instruments for national economic development, will be disseminated through the education system.

Section II - About Agrarian Reform

Article 114. About the Objectives of Agrarian Reform

Agrarian reform is one of the fundamental factors for achieving well-being in rural areas. It consists of the effective participation by the peasant population in the socioeconomic development of the nation. To this end, equitable distribution systems of landownership and possession will be adopted; credit and technical, educational, and health assistance will be organized; the creation of agricultural cooperatives and similar associations will be promoted; and the increased production, industrialization, and rationalization of the market will be promoted for the integrated development of the agricultural sector.

Article 115. About the Bases for Agrarian Reform and Rural Development

Agrarian reform and rural development will be implemented on the following bases:

1) The adoption of a tax system and other measures designed to promote production, to discourage latifundia owners, and to guarantee the development of small and medium-sized rural property in accordance with the characteristics of each zone;
2) The rationalization and standardization of land use and farming practices to prevent soil degradation, as well as the promotion of intensive, diversified agricultural activities;
3) The promotion of small and medium-sized agricultural companies;
4) The planning of peasant settlements; the awarding of plots of land with their respective deeds to the beneficiaries of the agrarian reform; and the planning of the required infraestructural facilities for making the settlement permanent, especially roads, education, and health;
5) The establishment of systems and organizations to ensure fair prices to primary producers;
6) The granting of low-cost loans for agriculture without the participation of any middleman;
7) The defense and preservation of the environment;
8) The creation of agricultural insurance;
9) Support for peasant women, especially for those who are heads of families;
10) Participation by peasant women on an equal footing with peasant men in agrarian reform planning;
11) Participation by the subjects of agrarian reform in the respective process, and the promotion of peasant organizations charged with defending socioeconomic and cultural interests;
12) Preferential support for Paraguayan citizens in agrarian reform plans;
13) Education for the farmer and his family to prepare them for becoming active agents of national development;
14) The creation of regional centers for the study and classification of soils for the purpose of raising the most suitable crop for each region;
15) The adoption of policies to promote the people's interest in agricultural activities by creating professional training centers in rural areas; and
16) The promotion of internal migration, in response to demographic and socioeconomic demands.

Article 116. About Unproductive Latifundia

In order to progressively eliminate unproductive latifundia, the law will take into account the natural qualities of the land, the needs of the population engaging in agricultural activities, and sound recommendations for a balanced development of agricultural, forestal, and industrial activities, as well as the sustainable exploitation of natural resources and the preservation of the ecological balance.

The expropriation of unproductive latifundia within the framework of the agrarian reform will be established by law on a case-by-case basis. The respective law will establish the method and terms of payment.

Chapter X - About Political Rights and Duties

Article 117. About Political Rights

Citizens of either sex have the right to participate in public matters, directly or through their representatives, in accordance with the provisions of this Constitution and the law. The access of women to public functions will be promoted.

Article 118. About Suffrage

Suffrage is a right, a duty, and a public function of a voter. It is the basis of a democratic, representative democracy. It is based on universal, free, direct, equal, and secret voting, as well as on a publicly supervised vote count and a proportional representation system.

Article 119. About Suffrage in Intermediate Organizations

The same principles and rules of suffrage will be applicable to elections in intermediate, political, union, and social organizations.

Article 120. About Voters

Every Paraguayan citizen, 18 years old and residing in the national territory, is eligible to vote.

Citizens can not only elect, but can also be elected without restrictions, other than those established in this Constitution and the law.

Foreigners with final residence papers will have the same rights in municipal elections.

Article 121. About Referendums

A legislative referendum, approved by law, can be either binding or nonbinding. A law will regulate this institution.

Article 122. About Matters That Cannot Be Submitted to a Referendum

The following matters cannot be submitted to a referendum:
1) International relations, treaties, conventions, or agreements;
2) Expropriations;
3) National defense;
4) Limitations to real estate property;
5) Tax, monetary, and banking systems; loan agreements; the National General Budget; and
6) National, departmental, and municipal elections.

Article 123. About Popular Initiative

Voters are hereby given the right to propose draft laws to Congress through popular initiative. A law will establish the procedures as well as the number of voters who must sign such proposals.

Article 124. About the Nature and Functions of Political Parties

Political parties are legal organizations falling under public law. They must reflect pluralism, participate in the formation of elective officials, provide guidance for national, departmental, or municipal policies, and participate in the civic training of citizens.

Article 125. About Freedom of Association in Political Parties and Movements

Every citizen has the right to freely organize political parties and movements, to democratically participate in the election of officials to the posts defined in the Constitution and the law, and to have a voice in national politics. A law will regulate the formation of these organizations to ensure their democratic nature.

The legal status of political parties and movements can be revoked only through a court decision.

Article 126. About Prohibitions Affecting Political Parties and Movements

In discharging their functions, political parties or movements cannot:
1) Receive economic aid, directions, or instructions from foreign organizations or states;
2) Establish structures which, directly or indirectly, may entail the use of, or a call for, violence as a method of political action; and
3) Be constituted with the intention of forcibly replacing the system of freedom and democracy, or of endangering the existence of the Republic.

Chapter XI - About Duties

Article 127. About Compliance With the Law

Everyone must comply with the law. Free criticism of the law is permitted, but one may not advocate disobedience.

Article 128. About the Preeminence of General Interest and the Duty To Cooperate

In no case will the interests of individuals prevail over general interest. Everyone must cooperate in promoting the good of the country by providing services and carrying out functions defined as public duties, which this Constitution and the law may establish.

Article 129. About Military Service

Every Paraguayan must be prepared for and must complete his services for the armed defense of the Fatherland. To this end, mandatory military service is hereby established. A law will regulate the conditions under which this duty will be discharged.

Military service must be based on full respect of human dignity. In time of peace, it will not exceed 12 months.

Women will not be required to provide military service, but as aides, if necessary, during an armed international conflict.

Conscientious objectors will provide services to benefit the civilian population in aid centers designated by law and operated under civilian jurisdiction. The laws implementing the right to conscientious objection will be neither punitive nor impose burdens heavier than those imposed by military service.

Personal military service, not determined by law or which is set up for the benefit or profit of private citizens or organizations, is hereby prohibited.

The law will regulate the contribution of foreigners to national defense.

Article 130. About the Glorious Sons of the Fatherland

Veterans of the Chaco War and of other armed international conflicts that may be waged in the defense of the Fatherland will enjoy honors and privileges, pensions to enable them to lead a decent life, preferential, free, and complete health care, as well as other benefits established by the law.

The economic benefits to which a veteran is entitled will be inherited by his widow or by his children if the latter are minors or handicapped. These benefits will also be extended to the heirs of veterans who already passed away before the promulgation of this Constitution.

The economic benefits awarded to the glorious sons of the Fatherland will not suffer restrictions and will be immediately implemented without requirements other than an adequate certification.

Former Bolivian prisoners of war who, since the signing of the peace treaty, have permanently resided in the Republic will be entitled to the same economic benefits and health care services granted to the Chaco War veterans.

Chapter XII - About Constitutional Guarantees

Article 131. About Guarantees

The guarantees established in this chapter, which will be regulated by law, are designed to enforce the rights contained in this Constitution.

Article 132. About Unconstitutionality

The Supreme Court of Justice has the power to declare any legal provision or decision by the courts unconstitutional, within the manner and scope established in this Constitution and the law.

Article 133. About Habeas Corpus

This guarantee can be petitioned by the affected party using any tangible means, either personally or through another person, without the need for a power of attorney and before any court of first instance within the respective judicial district.

Habeas corpus may be:

1) Preventive: Whereby any person facing the imminent danger of being illegally deprived of his freedom may request the court to examine the legitimacy of the circumstances that, in his opinion, are threatening his freedom; he may also request the court to halt these restrictions.
2) Restorative: Whereby any person who has been illegally deprived of his freedom may request that the circumstances of the case be corrected. The judge will order that the detainee be brought before him, as well as a report by the public or private agent who made the detention, within 24 hours of the filing of the habeas corpus petition. If the affected agent failed to comply with the court order, the judge will report to the petitioner's place of detention and, after evaluating the merits of the case, order the release of the petitioner as if he had been brought before the judge and the report had been filed. If there is no legal cause for the deprivation of freedom, the judge will order the petitioner's immediate release; if there is a written order by a court authority, he will refer the case files to the judge who ordered the detention.
3) Generic: Whereby anyone may demand the correction of circumstances that, despite not falling within the above categories, may restrict freedom or threaten personal security. Similarly, this guarantee may also be applied to cases of physical, psychological, or moral abuse against individuals who have been legally deprived of their freedom. The law will regulate the various types of habeas corpus, which will be applicable even in a state of exception. Habeas corpus proceedings will be brief, summary, and free of charge. A judge may ex-officio begin these proceedings.

Article 134. About Amparo

Anyone who considers himself seriously affected by a clearly illegitimate act or omission of an individual or government official, or who may be in imminent danger that the rights and guarantees of this Constitution or the laws may be curtailed, and who in light of the urgency of the matter cannot seek remedy through regular legal channels, may file a petition for amparo before a competent judge. Proceedings will be brief, summary, and free of charge, and will include actions in those cases established by the law.

The judge is empowered to safeguard rights, guarantee, or immediately restore the legal situation that existed prior to the violation.

If the subject matter is an electoral issue, the electoral courts will have jurisdiction over the case.

A petition for amparo cannot be filed in relation to a case that is already being heard by the courts, against actions taken by judicial organizations, or in the process of discussion, approval, and promulgation of the laws.

The law will regulate the respective proceedings. Court rulings in amparo cases will not be final.

Article 135. About Habeas Data

Everyone may have access to information and data available on himself or his assets in official or private registries of a public nature. He is also entitled to know how the information is being used and for what purpose.

He may request a competent judge to order the updating, rectification, or destruction of these entries if they are wrong or if they are illegitimately affecting his rights.

Article 136. About the Competence and Responsibility of Judges

No competent judge may refuse to hear the actions or remedies described in the previous articles. If he does so without legal cause, he will stand trial, and, if appropriate, he will be removed from office.

In his ruling, the judge must also pass judgment on the responsibilities of those officials who committed the illegal action, and if there is prima facie evidence of the perpetration of a crime, he will order the suspension or arrest of those found to be responsible as well as any appropriate preventive measure aimed at ensuring a more effective compliance with these responsibilities. Additionally, if it falls within his jurisdiction, he will order the respective pretrial inquest and will hear the opinion of the prosecuting attorney. If it does not fall within his jurisdiction, he will refer the case files to the competent judge.

Part II - About the Political Organization of the Republic

Title I - About the Nation and the State

Chapter I - About General Principles

Article 137. About the Supremacy of the Constitution

The Constitution is the supreme law of the Republic. The Constitution, the international treaties, conventions, and agreements that have been approved and ratified by Congress, the laws dictated by Congress, and other related legal provisions of lesser rank make up the national legal system. This listing reflects the descending order of preeminence.

Anyone who, overlooking the procedures established in this Constitution, attempts to change this order will be committing crimes that are classifiable and punishable by law.

This Constitution will not lose its force even if it were no longer observed following a forcible action or if it were to be repealed by means other than those established herein.

Any measure or action by authorities going against the provisions of this Constitution will not be valid.

Article 138. About the Validity of the Legal System

Citizens are hereby authorized to resist usurpers through every means available to them. If a person or a group of persons, acting in the name of any principle or representation contrary to this Constitution, was to seize public power,

their actions will be null, non-binding, and of no value, and therefore, exercising their right to resist oppression, the people will be excused from having to comply with such actions.

Those foreign states that, under any circumstance, may have dealt with such usurpers will not be able to demand compliance with any pact, treaty, or agreement signed with or authorized by an usurping government as if these were obligations or commitments of the Republic of Paraguay.

Article 139. About Symbols

The following are symbols of the Republic of Paraguay:
1) The flag of the Republic;
2) The national seal; and
3) The national anthem.

The law will regulate the characteristics of the symbols of the Republic that were not included in the resolution of the Special General Congress on 25 November 1842 and will determine their use.

Article 140. About Languages

Paraguay is a bilingual country with a pluralistic culture.

Its official languages are Spanish and Guarani. The law will establish the procedures for using one or the other.

Indian languages, as well as those of other minority groups, are part of the cultural heritage of the nation.

Chapter II - About International Relations

Article 141. About International Treaties

International treaties that were properly concluded and approved by a law of Congress and the instruments of ratification which have been exchanged or deposited are part of the domestic legal system in keeping with the order of preeminence established under Article 136.

Article 142. About the Renouncement of Treaties

International treaties concerning human rights cannot be renounced, but must follow the procedures established herein for the amendment of this Constitution.

Article 143. About International Relations

In its international relations, the Republic of Paraguay accepts international law and endorses the following principles:
1) National independence;
2) The self-determination of all peoples;
3) Legal equality among all states;
4) International solidarity and cooperation;
5) International protection of human rights;
6) Free navigation of international rivers;
7) Nonintervention; and
8) The condemnation of every form of dictatorship, colonialism, or imperialism.

Article 144. About Relinquishing War

The Republic of Paraguay relinquishes war, but it upholds the principle of self-defense. This statement is consistent with the rights and obligations Paraguay has as a member of the United Nations and of the Organization of American States and as a signatory of integration treaties.

Article 145. About a Supranational Legal System

The Republic of Paraguay, on an equal footing with other states, accepts a supranational legal system that would guarantee the enforcement of human rights, peace, justice, and cooperation, as well as political, socioeconomic, and cultural development.

These decisions can be adopted only through an absolute majority vote by each house of Congress.

Chapter III - About Nationality and Citizenship

Article 146. About Natural Nationality

The following are natural Paraguayan nationals:
1) Those persons who were born in the territory of the Republic;
2) Those children who were born abroad to a Paraguayan father or mother, either or both, who were at the service of the Republic;
3) Those children who were born abroad to a Paraguayan father or mother and who have decided to reside permanently in the Republic; and
4) Children of unknown parents within the territory of the Republic.

An interested party may obtain formal recognition of the right granted under Section 3 above by simply making a statement as soon as he reaches the age of 18. If he is still under 18, a statement to this effect by his legal representative will be valid until the minor becomes 18, at which time he may confirm his representative's statement.

Article 147. About the Inviolability of Natural Nationality

No natural Paraguayan national can be deprived of his nationality, but he may voluntarily relinquish it.

Article 148. About Naturalized Nationality

Foreigners may obtain the Paraguayan nationality through naturalization if they meet the following requirements:
1) To be of age;
2) To have had a minimum of three years of residence in the national territory;
3) To exercise regularly any profession, trade, science, art, or industry; and
4) To have good conduct, as defined by the law.

Article 149. About Multiple Nationality

Multiple nationality may be admitted through an international treaty or through reciprocity provisions at constitutional level between the state of birth and that of adoption.

Article 150. About the Loss of Nationality

Naturalized Paraguayan nationals may lose their nationality by virtue of a court ruling based on an unjustified absence from the Republic for more than three years or by the voluntary adoption of another nationality.

Article 151. About Honorary Nationality

Congress may award, by law, honorary Paraguayan nationality to those foreigners who have rendered outstanding services to the Republic.

Article 152. About Citizenship

A citizen is:
1) Every natural Paraguayan national over the age of 18;
2) Every naturalized Paraguayan national after two years of having obtained his naturalization.

Article 153. About the Suspension of Citizenship

The exercise of citizenship will be suspended:
1) If one adopts another nationality, except when internationalreciprocity is applicable;
2) By reason of incompetence, declared through a court ruling, that would prevent one from acting freely and competently; and
3) When the citizen is serving a prison sentence. The suspension of citizenship will end as soon as the cause that prompted it ends legally.

Article 154. About the Exclusive Jurisdiction of the Judicial Branch

The law will establish provisions concerning the acquisition, recovery, and options of nationality; as well as the suspension of citizenship.

The judicial branch will have exclusive jurisdiction to hear these cases.

Chapter IV - About the Territorial Organization of the Republic

Section I - About General Provisions

Article 155. About the Territory, Sovereignty, and Inalienability

The national territory will never be transferred, leased, or alienated in any way, even temporarily, to any other country. States maintaining diplomatic relations with the Republic, as well as international organizations of which the Republic is a member, may only acquire the necessary locations for the seat of their missions in accordance with the provisions of the law. In these cases, national sovereignty over the location will always be preserved.

Article 156. About the Political and Administrative Structure

To set up a political and administrative structure of the State, the national territory will be divided into departments and municipalities that, within the limits of this Constitution and the law, will enjoy political, administrative, and regulatory autonomy in managing their interests and independence in collecting and investing their resources.

Article 157. About the Capital

The City of Asuncion is the capital of the Republic and the seat of the government branches. It is constituted as a municipality independent from the departments. A law will establish its limits.

Article 158. About National Services

The creation and functioning of national services within the jurisdiction of departments and municipalities will be authorized by law.

Departmental services may also be established through agreements between the respective departments and municipalities.

Article 159. About Departments and Municipalities

The creation, merger, or modification of departments and their capitals or of municipalities or districts, will be determined by law taking into account their socioeconomic, demographic, ecological, cultural, and historical conditions.

Article 160. About Regions

Departments may be organized in regions to promote a better development of their respective communities. Their form and function will be regulated by law.

Section II - About Departments

Article 161. About Departmental Governments

The government of each department will be headed by a governor and by a departmental board. They will be elected directly by the citizens residing in the respective departments through elections that will be held simultaneously with the national general elections, and their term will last five years.

The governor will represent the executive branch in implementing the national policy. He cannot be reelected.

The laws will determine the composition and functions of the departmental boards.

Article 162. About Requirements

To become a governor, one must:
1) Be a natural Paraguayan citizen.
2) Be at least 30 years old.
3) Be a native of the department, and have resided there for at least one year. If the candidate is not a native of the department, he must have resided there for at least five years. These two terms will be computed backwards from the date set for the election.
4) The causes for ineligibility of candidates for the post of governor will be the same to those applicable to the president and vice president of the Republic.

To become a member of a departmental board, a candidate must meet all the requirements for the office of governor, except for the minimum age, which is 25.

Article 163. About Jurisdiction

A departmental government will have jurisdiction:
1) To coordinate activities among the various municipalities within the department, to organize joint departmental services such as public works, power supply, potable water, and others that would serve more than one municipality; as well as to promote associations to promote cooperation among them;
2) To prepare a departmental development plan, which must be reconciled with the National Development

Plan, and to draft an annual departmental budget that will be taken into account in the National General Budget;
3) To coordinate departmental action with the activities of the central government, especially concerning national health and educational offices located within the department;
4) To appoint members of the Departmental Development Council; and
5) To exercise other powers established by this Constitution and the law.

Article 164. About Resources

Departmental administrations will have the following resources:
1) Their apportionment of the taxes and contributions established and regulated by this Constitution and the laws;
2) The funds or subsidies assigned to them by the central government;
3) Their own income as determined by the law, as well as donations and legacies; and
4) Other resources established by law.

Article 165. About Intervention

The executive branch, with the prior concurrence of the Chamber of Deputies, may intervene in departmental and municipal governments in the following cases:
1) At the request of the respective departmental board or city council supported by an absolute majority vote of their members;
2) If the departmental board or city council has been disintegrated to such extent that it can no longer function; and
3) If there are serious irregularities in the implementation of the budget or in the administration of departmental or municipal assets, after hearing the opinion of the comptroller general of the Republic.

The intervention will not last for more than 90 days and, if a case described in section three above is proved, the Chamber of Deputies, by an absolute majority vote of its members, will remove the governor, mayor, departmental board, or municipal council. In this case, the Superior Electoral Court will call a new election of authorities to replace those who have been removed from office within 90 days following the resolution of the Chamber of Deputies.

Section III - About Municipalities

Article 166. About Autonomy

Municipalities are local government organizations with legal status which, within their jurisdiction, have political, administrative, and regulatory autonomy, as well as independence in collecting and investing their resources.

Article 167. About Municipal Governments

Municipal governments will be exercised by a mayor and councilmen, who will be elected directly by legally qualified voters.

Article 168. About Municipal Powers

Acting within their territorial jurisdiction and in accordance with the laws, municipalities will have the following powers:
1) Free management of matters falling within their competence, especially those concerning urban affairs, the environment, food supplies, education, culture, sports, tourism, health and social assistance, credit institutions, and inspection and police bodies;
2) The administration and disposition of their assets;
3) The drafting of their budgets, with both income and expenses;
4) The apportionment of the national income;
5) The regulation of rates charged for municipal services, which cannot be higher than their actual cost;
6) The issuance of bylaws, regulations, and resolutions;
7) Access to national or international, private or public credit;
8) The regulation and supervision of traffic, of the public transit system, and of other matters relating to the circulation of vehicles; and
9) All other powers established by this Constitution and the law.

Article 169. About Real Estate Tax

Municipal and departmental governments will be entitled to all taxes directly affecting real estate property. Municipalities will be charged with collecting these taxes. Each municipality will retain 70 percent of real estate tax revenues collected within its jurisdiction; 15 percent will go to the respective departmental government, and 15 percent will be distributed among low-income municipalities in accordance with the law.

Article 170. About the Protection of Resources

No state institution nor an autonomous, self-supported, or decentralized company may collect municipal income or revenues.

Article 171. About Categories and Systems

The various municipal categories and systems will be established by law, taking into account population, economic development, geographical location, and ecological, cultural, and historical conditions; as well as other decisive factors for their development.

Municipalities may associate with each other to pursue their goals and, through law, may associate with municipalities abroad.

Chapter V - About Public Force

Article 172. About Its Composition

Public force consists exclusively of military and police forces.

Article 173. About the Armed Forces

The Armed Forces constitute a national institution that will be organized as a permanent, professional, nondeliberative, obedient force, subordinated to the State, to the provisions of this Constitution, and to the law. Its mission is to safeguard the national territorial integrity and to defend the

legitimately constituted authorities in accordance with this Constitution and the law. The law will determine its organization and personnel.

Military personnel on active duty will conform their actions to the law and regulations. They cannot join any political party or movement or engage in any type of political activity.

Article 174. About Military Courts

Military courts will hear only crimes and disciplinary violations of a military nature, which according to the law, were committed by military personnel on active duty. Their decisions can be overturned by courts of law. When the offense is question is punishable both under civilian and military penal laws, it will not be considered to be a military crime, unless it was committed by a serviceman on active duty while discharging his military duties. In cases where there is doubt as to whether a crime is civilian or military, it will be considered to be civilian. Only in cases of an armed international conflict, will military courts have jurisdiction over civilians and retired military personnel.

Article 175. About the National Police

The National Police are a professional, nondeliberative, obedient, permanent institution. They are subordinate to the executive branch and charged with safeguarding national domestic security. Within the framework of this Constitution and the law, their mission is to preserve the established legal order and the rights and security of individuals and organizations and their property, to seek crime prevention, to enforce the orders issued by competent authorities, and, under court supervision, to investigate crimes. The law will regulate their organization and powers.

The leader of the National Police will be a senior career officer. Policemen on active duty cannot join any political party or movement or engage in any type of political activity.

The creation of independent police bodies will be established by law, which will outline their respective powers and jurisdictions within the municipal framework and within the other branches of government.

Chapter VI - About the State Economic Policy

Section I - About National Economic Development

Article 176. About the Economic Policy and the Promotion of Development

The promotion of socioeconomic and cultural development is a fundamental goal of the economic policy.

The State will promote economic development through the rational use of available resources to support an orderly, sustained growth of the economy, to create new sources of jobs and wealth, to increase the national wealth, and to ensure the well-being of the people. Development will be promoted through comprehensive programs that will be instrumental in coordinating and guiding national economic activities.

Article 177. About the Nature of Development Plans

National development plans will be indicative for the private sector, but mandatory for the public sector.

Section II - About Financial Organization

Article 178. About the Resources of the State

To achieve its goals, the State establishes taxes, contributions, and other revenues. It exploits directly or through concessionaires those assets falling under its private domain, over which it establishes royalties, compensations, or other rights under terms that are fair and beneficial to the national interest. It organizes the exploitation of public services and collects taxes on them. It obtains domestic or international loans earmarked for national development programs. It regulates the country's financial system, and it organizes and builds the monetary system.

Article 179. About the Creation of Taxes

Every tax, irrespective of its nature or name, will be exclusively established by law in accordance with fair socioeconomic principles and with policies that are favorable to national development.

The determination of taxable matters, taxpayers, and the nature of the tax system can also be done only by law.

Article 180. About Double Taxation

The same taxable activity cannot be subjected to double taxation. In its international relations, the State may sign agreements aimed at avoiding double taxation on a reciprocal basis.

Article 181. About Equality Concerning Taxation

Taxation must be based on equality. No tax will have a confiscating nature. Creation and enforcement will be commensurate with the tax base and with the general conditions of the country's economy.

Title II - About the Structure and Organization of the State

Chapter I - About the Legislative Branch

Section I - About General Provisions

Article 182. About Its Composition

The legislative branch will be exercised by Congress, which consists of the Senate and of the Chamber of Deputies.

Members and alternate members of both chambers will be directly elected by the people in accordance with the law.

Alternate members will replace members in case of death, resignation, or disability of the latter for the remainder of the constitutional term or for as long as the disability lasts, if of a temporary nature. All other cases will be resolved in accordance with the internal regulations of each chamber.

Article 183. About a Joint Congressional Session

Only when the two chambers convene as the Congress, will it have the following powers:

1) To administer the oath of office to the president of the Republic, the vice president, and the justices of the Supreme Court of Justice;

2) To grant or to deny the appropriate authorization to the president of the Republic in those cases established in this Constitution;
3) To authorize the entry of foreign Armed Forces into the national territory and to authorize the departure abroad of national forces, except for cases of mere courtesy;
4) To receive chiefs of state or of government of other countries; and
5) Other powers established in this Constitution.

The presidents of the Senate and of the Chamber of Deputies will preside over the meetings of Congress as president and vice president, respectively.

Article 184. About Sessions

Both chambers of Congress will convene in ordinary sessions that will go from 1 March to 20 December every year. Both chambers will call special sessions or will extend their ordinary sessions through a decision approved by one-fourth of the members of either house, by two-thirds of the Standing Congressional Committee, or by an executive branch decree. The president of Congress, or of the Standing Committee, must call the session within the peremptory term of 48 hours.

The same procedure will be followed to extend sessions. Special sessions will be called to discuss a specific order of the day and will adjourn as soon as the items included on the agenda have been discussed.

Article 185. About Joint Sessions

The two chambers will convene in joint sessions in those cases outlined in this Constitution or in the Congressional Bylaws, which will establish the required formalities.

A legal quorum will exist if half plus one of the total number of members of each house is present. Except for those cases in which this Constitution requires a specific majority vote, all decisions will be taken by a simple majority vote of all members in attendance.

For the purpose of voting by each house of Congress, a simple majority vote consists of half plus one of those members in attendance; a two-thirds majority consists of two-thirds of those members in attendance; absolute majority consists of the legal quorum; and a two-thirds absolute majority consists of two-thirds of the total number of members of each house.

The provisions of this article will also apply to joint sessions of both chambers of Congress.

The same system of quorum and majorities will be applicable to any elective body established by this Constitution.

Article 186. About Committees

The two chambers will convene in plenary sessions or in unicameral or bicameral committees.

The composition of these committees will be, as much as possible, proportional to the blocs represented in the chambers.

At the start of every annual session, each chamber will designate standing advisory committees. These may request reports and opinions of individuals or of public or private organizations in order to produce recommendations or to pave the way for the implementation of other congressional powers.

Article 187. About the Election and Term in Office

Senators and deputies, and their respective alternates, will be chosen in elections held simultaneously with that of the president of the Republic.

The term in office of legislators, which will be five years, will begin on 1 July. They may be reelected.

A definitive or temporary vacancy at the Chamber of Deputies will be filled by an alternate member who was elected for the same department of the member leaving office, while a vacancy at the Senate will be filled by an alternate member included in the list proclaimed by the Electoral Court.

Article 188. About the Swearing-In Ceremony

During their inauguration ceremony at the chambers of Congress, senators and deputies will be administered the oath of office and will pledge to act in accordance with the provisions of this Constitution.

Neither of the two chambers may convene, deliberate, or adopt decisions without the presence of an absolute majority of its members. A lesser number in attendance may, however, urge all absent members to attend the session under the terms established by each house.

Article 189. About Life Senatorships

Former presidents of the Republic who were democratically elected will be national senators for life, except for those who were impeached from office. They will not count toward a quorum. They will have the right to speak, but not to vote.

Article 190. About Bylaws

Each chamber will draft its own bylaws. By a two-thirds majority of its members, a chamber may admonish or reprimand any of its members for misconduct in exercising their functions, and it may suspend them for up to 60 days without pay. By an absolute majority, it may remove a member for mental or physical disability, based on a declaration of such condition by the Supreme Court of Justice. Cases of resignation will be decided by a simple majority vote.

Article 191. About Immunities

No charges may be pressed in court against a member of Congress for the opinions he may have expressed in discharging his duties. No senator or deputy may be arrested from the day of his election until the end of his term, unless he is caught in flagrante delicto in relation to a crime meriting a prison sentence. In this case, the official intervening in the case will place the legislator under house arrest and will immediately report the arrest to the respective chamber and to a competent judge, to whom he will submit the case files as soon as possible.

If a court of law orders a pretrial inquest against a senator or a deputy, the presiding judge will send a copy of the case files to the respective chamber, which will examine the merits of the inquest and, by a two-thirds majority vote, will decide whether the senator or deputy involved should be stripped of his immunity in order to stand trial. If the chamber votes against the legislator, it will suspend his immunity so that he may be brought to trial.

Article 192. About Requests for Information

Each chamber may ask other branches of government, as well as autonomous, self-supported, decentralized companies, or public officials, to submit reports on matters of public interest that it might deem necessary, with the exception of matters pertaining to jurisdictional activities.

The affected parties will have to submit the respective report within a established deadline, which will not be under 15 days.

Article 193. About Summoning and Interpellation

Each chamber, by an absolute majority, may individually summon and interpellate ministers and other senior administration officials and directors and administrators of autonomous, self-supported, or decentralized companies, as well as directors and administrators of organizations charged with administering state funds and those in which the State is a majority shareholder, when the chamber is discussing a law or is studying a matter pertaining to their respective activities. The respective questions must be conveyed to the summoned official at least five days in advance. Except for those cases in which the summoned individual may claim a legal cause for being excused, it will be mandatory for him to appear before the respective chamber, to answer the questions, and to provide all the information he has been asked to give.

The law will determine the participation of majority and minority blocs in the formulation of the questions.

Neither the president of the Republic, the vice president, nor the members of the judicial branch may be summoned or interpellated on matters pertaining to their jurisdictional activity.

Article 194. About a Vote of Censure

If a summoned official fails to appear before the respective chamber, or if this chamber considers his briefing to be unsatisfactory, the two chambers, by a two-thirds absolute majority, will issue a vote a censure against him and will recommend that the president of the Republic or the official's immediate supervisor remove him from office.

If a motion of censure is not approved, no other motion may be proposed during that same period of sessions on the same subject with regard to the same minister or official.

Article 195. About Investigating Committees

Both chambers of Congress may create joint investigating committees on any matter of public interest, as well as on the conduct of their members.

Directors and administrators of autonomous, self-supported, or decentralized companies, those of companies in which the State is a majority shareholder, and those charged with administering state funds, as well as public officials and private citizens, must appear before the two chambers to supply the information and documents they are asked to give. The law will establish sanctions for those failing to comply with this obligation.

The president of the Republic, the vice president, cabinet ministers, and judges may not be investigated on matters pertaining to their jurisdiction.

The activities of congressional investigating committees will not affect either the exclusive powers of the judicial branch or the rights and guarantees contained in this Constitution. Their conclusions will not be binding for the courts and will not undermine court decisions. The outcome of the investigations may, however, be passed on to the courts.

The judges will order, in accordance with the law, those actions and discovery proceedings that are required for the purpose of the investigation.

Article 196. About Incompatibilities

Advisers of public offices or officials and employees who are on the payroll of the State or of municipalities, irrespective of their positions and the nature of their remunerations, may be elected to a legislative office but cannot exercise legislative functions as long as their appointment to such positions is in force.

Part-time teaching and scientific research are exempted from the incompatibilities established in this article.

No senator or deputy may participate in companies exploiting public services or in concessionaires of the State or serve as legal advisers or as representatives of such companies, either personally or through a proxy.

Article 197. About Causes for Ineligibility

The following cannot be candidates for deputies or senators:

1) Those sentenced to a prison term by a final court decision until their prison term ends;
2) Those who, by virtue of a court decision, have been disqualified to hold public office, until the period of disqualification ends;
3) Those who have been sentenced for having committed electoral crimes until the term established by the sentence ends;
4) Judges, members of the Attorney General's Office, the Special Government Attorney for Patrimonial Affairs [Procurador General de la Republica], the Public Defender, the Comptroller General of the Republic, the Deputy Comptroller General, and members of the Superior Electoral Court;
5) Ministers or clergymen of any religion;
6) Representatives or proxies of national or foreign companies, corporations, or organizations that are concessionaires of services for the State or that administer projects or supply goods to the State;
7) Police or military personnel on active duty;
8) Candidates for president or vice president of the Republic; and
9) Owners or partners of communications media organizations;

Those affected by the causes for ineligibility described in Sections 4 through 7 have until 90 days prior to the registration of electoral slates at the Superior Electoral Court to remove the ineligibility causes.

Article 198. About Relative Ineligibility

Cabinet ministers, ministerial under secretaries; presidents of councils; or general managers of decentralized, autonomous, self-supported, binational or multinational companies, as well as those of companies in which the State is a majority shareholder; governors; and mayors, are ineligible to run for deputy or senator if they do not resign their posts at least 90 days prior to the election.

Article 199. About Leave of Absence

A senator or deputy will only be granted leave of absence when he is to be appointed to a ministerial or diplomatic post. In order to exercise these duties, he will have to request a leave of absence from the respective chamber, where he may be reinstated as soon as he ends such functions.

Article 200. About the Election of Authorities

Each chamber will name its authorities and appoint its employees.

Article 201. About the Loss of Congressional Seats

In addition to those cases described earlier, a senator or deputy may lose his seat in the following cases:

1) Because of a violation of the causes for ineligibility and incompatibility established in this Constitution, and
2) Because of tangible evidence of improper use of the influence stemming from his office.

Senators and deputies will not be forced to serve mandatory terms in office.

Article 202. About the Duties and Powers of Congress

Congress has the following duties and powers:

1) To ensure observance of this Constitution and the laws;
2) To dictate codes and other laws, and to amend or repeal them in accordance with this Constitution;
3) To establish a division of the territory of the Republic into political units; as well as regional, departmental, and municipal organizations;
4) To legislate on tax matters;
5) To annually approve the national general budget law;
6) To dictate the electoral law;
7) To determine a legal system for the sale or purchase of fiscal, departmental, or municipal assets;
8) To issue internal resolutions or agreements and to release declarations pursuant to its powers;
9) To approve or to reject treaties or other international agreements signed by the executive branch;
10) To approve or to reject loan agreements;
11) To authorize, for a limited period of time, concessions for the exploitation of national or multinational public services or of assets belonging to the State, as well as for the extraction and processing of solid, liquid, or gaseous minerals;
12) To dictate organizational laws for the administration of the Republic, for the creation of decentralized organizations, and for the organization of public credit;
13) To issue emergency laws in case of public disaster or calamity;
14) To administer the constitutional oath of office to the president of the Republic, to the vice president, and to other officials in accordance with the provisions of this Constitution;
15) To receive annually from the president of the Republic, at the start of each regular period of sessions, a report on the general situation of the country, on its administration, and government plans;
16) To accept or to reject the resignation of the president of the Republic or of the vice president;
17) To agree on, or to make appointments as prescribed in this Constitution and to appoint congressional representatives to serve on other State organizations;
18) To grant amnesties;
19) To decide on moving the capital of the Republic to another area of the national territory, by an absolute two-thirds majority vote of the members of each chamber;
20) To approve or reject, either partially or totally, after hearing the respective report by the Comptroller General of the Republic, the report on the details and justification of public financial income and expenses related to the implementation of the budget;
21) To regulate river, maritime, air, and space navigation; and
22) All other powers established in this Constitution.

Section II - About the Formation and Approval of Laws

Article 203. About Their Origin and Initiative

A law may be originated by a proposal from a member of either of the chambers of Congress, from the executive branch, by popular initiative, or by the Supreme Court of Justice, under the cases and terms established in this Constitution and the law;

Exceptions concerning those laws that are to be exclusively originated by one chamber or another or by the executive branch have been expressly established in this Constitution.

Every draft law submitted to Congress must have a preamble.

Article 204. About the Approval and Promulgation of a Law

As soon as a draft law has been approved by the chamber where it originated, it will be immediately submitted to the consideration of the other chamber. If the other chamber approves it too, the draft law will have been passed. If the executive branch approves it too, the new law will be promulgated and published within five days.

Article 205. About Automatic Promulgation

Any draft law passed by Congress that was not vetoed or returned by the executive branch to the originating chamber within six working days if it has less than 10 articles, within 12 days if it has 11 to 20 articles, or within 20 days if it has more than 20 articles, will be considered to have been approved. In all these cases, the law will be considered to have been automatically promulgated and its publication will be ordered.

Article 206. About the Rejection of an Entire Draft Law

When a draft law approved by one chamber is completely rejected by the other, it will be returned to the originating chamber for reconsideration. If the originating chamber passes the draft law again by an absolute majority, it will be sent again to the reviewing chamber, which can only reject it again through a two-thirds absolute majority. If not, the draft law will be considered to have been passed.

Article 207. About Procedures for Partially Changing a Draft Law

A draft law approved by the originating chamber that has been partially changed by the reviewing chamber will be returned to the originating chamber, which may only discuss those changes introduced by the reviewing chamber.

The following procedures will be observed in these cases:

1) If the originating chamber concurs with all the changes, the draft law will have been approved.
2) If the originating chamber rejects all the changes by an absolute majority, the draft law will be sent again to the reviewing chamber. If this chamber reaffirms its changes by the same majority vote, the draft law will have been approved; otherwise, the draft law version of the originating chamber will have been approved.
3) If some of the changes were accepted and some rejected, the draft law will be returned again to the reviewing chamber, which may only discuss the rejected changes. If the reviewing chamber, by an absolute majority vote, reaffirms or withdraws the rejected changes, the draft law will have been approved.

A draft law approved in any of the forms described in this article will be passed to the executive branch for its promulgation.

Article 208. About Partial Objections

A draft law that has been partially vetoed by the executive branch will be returned to the originating chamber, which will study and pass judgment on the objections. If this chamber, by absolute majority, overrides the executive veto, the draft law will be passed on to the reviewing chamber, which will also pass judgment on the objections. If the reviewing chamber, by the same majority vote, also overrides the executive veto, the original version of the law will have been approved, and the executive branch will have to promulgate it by ordering its publication within five days. If both chambers fail to agree to override the objections, the respective draft law cannot be reconsidered during that period of sessions.

The executive branch objections may be totally or partially accepted or rejected by the two chambers. If they were totally or partially accepted, the two chambers may decide, by absolute majority, to approve the unquestioned portion of the draft law, which will then have to be promulgated by the executive branch.

The originating chamber will have to consider these objections within 60 days. The reviewing chamber will also have 60 days.

Article 209. About Total Objection

If a draft law is totally rejected by the executive branch, it will be returned to the originating chamber, which will discuss it again. If the originating chamber, by an absolute majority, reaffirms its earlier approval, the draft law will be passed on to the reviewing chamber. If this chamber approves it too, by the same majority, the executive branch will have to promulgate it within five working days and will order its publication. If the two chambers fail to agree to override the total rejection, that draft law cannot be considered again during that period of sessions.

Article 210. About Assigning Urgent Status to Draft Laws

The executive branch may request that some of the draft laws it submits to Congress be discussed urgently. In these cases, these draft laws will be considered by the originating chamber within 30 days of receipt, and the reviewing chamber will also have 30 days. The draft law will be considered to have been approved if it was not rejected within the above deadline.

The executive branch may at any stage of the congressional process having submitted a draft law ask Congress to consider it urgently. In these cases, the above deadline will be computed from the time of receipt of the request by the executive branch.

Either chamber may, by a two-thirds majority, revoke the urgent status of a draft law at any time and order that regular procedures be followed from there on.

The executive branch may ask Congress to assign urgent status to only three draft laws during a regular period of legislative sessions, except when the originating chamber, by a two-thirds majority, agrees to assign urgent status to more draft laws.

Article 211. About Automatic Approval

If a draft law submitted to either chamber was approved by the originating chamber during its period of regular sessions, the draft law will then be passed to the reviewing chamber, which will have to consider it within the peremptory term of three months. Once elapsed, and after the president of the originating chamber has sent written notification to his counterpart of the reviewing chamber, it will be assumed that the reviewing chamber has approved the draft law, which will thus be passed to the executive branch for promulgation and publication. The computation of the above term will be suspended from 21 December to 1 March. The reviewing chamber may consider the draft law during the next regular period of session starting on 1

March, as long as it can complete the entire process within the established peremptory term of three months.

Article 212. About the Withdrawal or Renouncement of a Draft Law

The executive branch may withdraw or renounce those draft laws it has submitted to Congress, except when they have already been approved by the originating chamber.

Article 213. About Publication

A law is not enforceable until it is promulgated and published. If the executive branch fails to promulgate and publish the law in accordance with the terms and conditions established in this Constitution, the president of Congress or the president of the Chamber of Deputies will promulgate it and order its publication.

Article 214. About Formulas

The formula used to approve a laws is: "The Paraguayan National Congress hereby approves with the force of law." The formula to be used to promulgate them is: "Be it enacted as a law of the Republic; Be it published and registered at the Official Record."

Article 215. About Powers Delegated to Committees

Each chamber, by an absolute majority vote, may delegate to committees the discussions of draft laws, resolutions, or declarations. By a simple majority vote it may withdraw them at any time prior to the approval, rejection, or sanction by the committee.

Neither chamber may delegate the discussion of the National General Budget, codes, international treaties, draft laws on taxes or military matters, draft laws pertaining to the organization of the government branches, or those originated by popular initiative.

Article 216. About the National General Budget

The executive branch will submit to Congress by no later than 1 September each year a draft law on National General Budget, and Congress must consider it an absolute priority. A bicameral committee will be created that, upon receipt of the draft law, will study it and file reports to the respective chambers in no later than 60 days. Upon receipt of these reports, the Chamber of Deputies will begin to study the draft law in plenary sessions and will have to make its decision in no later than 15 consecutive days. The Senate will then have an equal period to study the draft law with any changes introduced by the Chamber of Deputies. If the Senate approves it, the draft law will have been passed. Otherwise, the Senate will return the draft law with its objections to the Chamber of Deputies, which will pass judgment—in no later than 10 days—on those specific points of disagreement with the Senate. The procedures established under Article 208, Sections 1 through 3, will be implemented, always within the period of 10 days.

All the deadlines established in this article are of a peremptory nature, and any failure to consider any draft law within these deadlines will be interpreted as approval. The chambers may only totally reject the draft budget law submitted by the executive branch by a two-thirds absolute majority of each chamber.

Article 217. About the Period of Enforcement of the Budget

If the executive branch, for any reason, fails to submit a draft law on the National General Budget to Congress within the established deadline or if the draft law has been rejected in accordance with the previous article, the ongoing budget law will continue in force.

Section III - About the Congressional Standing Committee

Article 218. About Its Composition

Fifteen days before the summer recess, by an absolute majority, the Senate will appoint six members and three alternate members, and the Chamber of Deputies will appoint 12 members and six alternate members to serve on the Congressional Standing Committee, which will exercise its functions from the start of the summer recess to the day of resumption of regular sessions.

The members of the Standing Committee will convene and appoint a president and other authorities and will notify in writing the other branches of government.

Article 219. About Its Powers

The Congressional Standing Committee has the following powers:

1) To safeguard the Constitution and the law;
2) To dictate its own bylaws;
3) To call preparatory sessions of the two chambers to ensure that the opening of the annual period of sessions is held on time;
4) To call and to organize special sessions of the two chambers, in accordance with the provisions of this Constitution;
5) To authorize the president of the Republic, during the congressional recess period, to leave the national territory in those cases established in this Constitution; and
6) Other powers established in this Constitution.

Article 220. About Final Reports

At the end of its tenure, the Congressional Standing Committee will submit a final report on its activities to each chamber, before which it will be liable for the measures it may have adopted or authorized.

Section IV - About the Chamber of Deputies

Article 221. About Its Composition

The Chamber of Deputies will bear the departmental representation. It will consist of at least 80 members and 80 alternate members, who will be elected directly by the people in departmental electoral districts. The City of Asuncion will be an electoral district with representation at the Chamber of Deputies. Each department will be represented by at least one member and one alternate member. Before each election, and taking into account the number of

voters residing in each department, the Superior Electoral Court will determine the number of seats to which each department will be entitled. As the number of voters increases, the number of deputies may be increased accordingly, by law.

To be eligible to be a deputy or alternate deputy, a person must be a natural Paraguayan citizen who is at least 25 years old.

Article 222. About the Exclusive Powers of the Chamber of Deputies

The Chamber of Deputies has the following exclusive powers:

1) To initiate the consideration of draft laws concerning departmental or municipal legislation;
2) To appoint or propose the appointment of magistrates and officials, in accordance with the provisions of this Constitution and the law;
3) To agree to State intervention in departmental or municipal governments; and
4) Other exclusive powers included in this Constitution.

Section V - About the Chamber of Senators

Article 223. About Its Composition

The Senate will consist of 45 members and at least 30 alternate members, who will be elected directly by the people in one national district. As the number of voters increases, the number of senators may be increased accordingly, by law.

To be eligible to be a senator or alternate senator, a person must be a natural Paraguayan citizen who is at least 35 years old.

Article 224. About the Exclusive Powers of the Senate

The Senate has the following exclusive powers:

1) To initiate the consideration of draft laws concerning the approval of treaties and international agreements;
2) To agree to promotions within the military and National Police forces from the rank of Army colonel or its equivalent in other military branches and services or from the rank of police inspector [comisario principal] in the National Police;
3) To agree to the appointment of ambassadors and ministers plenipotentiary serving abroad;
4) To appoint or propose the appointment of magistrates and officials in accordance with this Constitution;
5) To authorize the departure abroad of permanent Paraguayan military forces, as well as the entry into the country of foreign military troops;
6) To agree to the appointment of the president and members of the board of directors of the Paraguayan Central Bank;
7) To agree to the appointment of Paraguayan directors of binational enterprises; and
8) Other exclusive powers established by this Constitution.

Section VI - About Impeachment

Article 225. About Procedures

The president of the Republic, the vice president, cabinet ministers, justices of the Supreme Court of Justice, the attorney general, the public defender, the comptroller and deputy comptroller general of the Republic, and members of the Superior Electoral Court may be forced to undergo impeachment proceedings for malfeasance in office, for crimes committed in office, or for common crimes.

The Chamber of Deputies, by a two-thirds majority, will press the respective charges. The Senate, by a two-thirds absolute majority, will conduct a public trial of those charged by the Chamber of Deputies and, if appropriate, will declare them guilty for the sole purpose of removing them from office. In cases in which it appears that common crimes have been committed, the files on the respective impeachment proceedings will be referred to a competent court.

Chapter II - About the Executive Branch

Section I - About the President and Vice President of the Republic

Article 226. About the Exercise of the Executive Branch

The powers of the executive branch are exercised by the president of the Republic.

Article 227. About the Vice President

The vice president of the Republic will immediately assume all presidential powers in case of disability or temporary absence of the president or of permanent vacancy of the presidential office.

Article 228. About Requirements

To become president or vice president of the Republic, one must:

1) Be a natural Paraguayan national;
2) Be at least 35 years old; and
3) Fully exercise one's civil and political rights.

Article 229. About the Duration of the Presidential Term

The president and vice president of the Republic will be in office for the unpostponable term of five years, which will be computed from 15 August following the presidential election. They can in no way be reelected. The vice president is eligible to become president in the next term if he resigns six months prior to the general election. Those have held the office of president for more than 12 months are ineligible to run for vice president of the Republic.

Article 230. About Presidential Elections

The president and vice president of the Republic will be elected jointly and directly by the people, by a simple majority of voters, in general elections held between 90 and 120 days prior to the expiration of the ongoing constitutional term.

Article 231. About Cases When a Presidential Inauguration Cannot be Held

If the president-elect and vice president-elect have not been proclaimed in the manner established in this Constitution in time for the date set for the inauguration, or if the elections have been nullified, the outgoing president will turn the government over to the Chief Justice of the Supreme Court, who will hold the presidential office until the inauguration. During this period the Chief Justice will take a leave of absence from his judicial duties.

Article 232. About the Inaugural Ceremonies

The president and vice president of the Republic will take the oath of office before Congress, pledging to comply faithfully and patriotically with their constitutional functions. If on the day set for the inauguration Congress fails to have a legal quorum, the swearing-in ceremony will be held before the Supreme Court of Justice.

Article 233. About Leave of Absence

The president of the Republic, or any other official acting in this capacity, may not leave the country without giving prior notification to Congress and to the Supreme Court of Justice. If his absence is for more than five days, authorization from the Senate will be required. During periods of congressional recess, the Congressional Standing Committee will grant the respective authorization.

Under no circumstances will the president and vice president of the Republic simultaneously leave the national territory.

Article 234. About the Presidential Succession

In case of disability or absence of the president of the Republic, he will be replaced by the vice president. If the vice president is also unavailable, the following succession order will be followed: the Senate president, the Chamber of Deputies president, and the Supreme Court chief justice.

The vice president-elect will assume the presidential office if left vacant before or after the proclamation of the president-elect and will hold the office until the end of the constitutional term.

If the office of vice president is left permanently vacant during the first three years of the constitutional term, an election will be held to fill it. If the vacancy occurred during the last two years of the term, Congress—by an absolute majority vote—will designate a vice president to complete the remainder of the term.

Article 235. About Causes for Ineligibility

The following are ineligible to run as candidates for president or vice president of the Republic:

1) Cabinet ministers, vice ministers, under secretaries or officials of equivalent rank, directors general of public offices and presidents of councils; directors, managers, or general administrators of decentralized, self-supported, autonomous, binational, or multinational state-owned companies or those in which the State is a majority shareholder;
2) Judges and members of the Attorney General's Office;
3) The Public Defender, the Comptroller and Deputy Comptroller General of the Republic, the Special Government Attorney for Patrimonial Affairs, the president of Council for Magistrates, and members of the Superior Electoral Court;
4) Representatives or proxies of national or foreign companies, corporations or organizations that are concessionaires of services for the State or that execute projects or supply goods to the State;
5) Ministers or clergymen of any religion;
6) Mayors and governors;
7) Active duty personnel of the Armed Forces or of the National Police, except for those who retire at least one year prior to the day of the election;
8) Owners or partners of communications media organizations; and
9) The spouse, blood relatives to the fourth degree, or relatives by marriage to the second degree of the incumbent president or of anyone who has held the presidential office for any length of time during the year preceding that of the election.

In those cases falling under Sections 1, 2, 3, and 6 of this article, the affected parties must resign and leave their respective offices at least six months before the day of the election, except for cases in which the vice presidency has been left permanently vacant.

Article 236. About Causes of Ineligibility Through Violation of the Constitution

Military or civilian leaders of a coup d'etat, armed revolution, or similar movement aimed at disrupting the order established by this Constitution, who may eventually become president or vice president of the Republic, cabinet minister, or hold a military post requiring a senior rank, will be ineligible for any public office for two consecutive constitutional terms, in addition to their respective civil liability or criminal responsibility.

Article 237. About Incompatibilities

During their tenure, neither the president nor the vice president of the Republic may hold any other public or private office, whether remunerated or not. They must exclusively engage in their presidential functions and may not engage in any trade or industrial or professional activity of any kind.

Article 238. About the Duties and Powers of the President of the Republic

The president of the Republic has the following duties and powers:

1) To represent the State and generally administrate the country;
2) To observe and enforce this Constitution and the law;
3) To participate in the formation of laws in accordance with this Constitution, to promulgate and order their publication, to regulate them, and to ensure their enforcement;

4) To veto, either totally or partially, laws approved by Congress through observations or objections he may deem appropriate;
5) To issue decrees that, in order to be valid, must be countersigned by the respective minister;
6) To appoint or remove cabinet ministers, the Government Special Attorney for Patrimonial Affairs, and other public officials whose appointment or tenure is not otherwise regulated by this Constitution or the law;
7) To oversee the foreign relations of the Republic. In case of foreign aggression he will declare—having first been authorized by Congress—a State of National Defense or make efforts to seek peace, to negotiate and sign international treaties, to receive heads of foreign diplomatic missions and accredit their consuls, and to appoint ambassadors with the concurrence of the Senate;
8) At the start of every period of sessions, to tell Congress about the activities of the executive branch, to report on the general situation of the Republic, and to explain future government plans;
9) As commander in chief of the Armed Forces, a post that he cannot delegate, he will, under law, issue military regulations and orders to the Armed Forces, organize and distribute their forces, appoint and remove the commanders of the Public Force, adopt the necessary measures for national defense, and, by the powers vested upon him, grant military ranks to members of all branches up to colonel or its equivalent and, with the concurrence of the Senate, award higher military ranks;
10) Based on reports by the Supreme Court of Justice, he may pardon or commute sentences imposed by the judges or courts of the Republic;
11) To call special sessions of Congress, either chamber at a time or both at the same time, in which case each chamber will consider only those issues submitted for its consideration:
12) To propose draft laws to Congress and request that some draft laws be considered on an urgent basis in accordance with the provisions of this Constitution;
13) To order the collection and investment of the revenues of the Republic in accordance with the National General Budget and with the laws and to give an annual report to Congress on the implementation of the budget;
14) To prepare and to submit to the two chambers the annual draft of the National General Budget;
15) To ensure that the measures ordered by authorities created under this Constitution are observed; and
16) Other duties and powers established by this Constitution.

Article 239. About the Duties and Powers of the Vice President of the Republic

The vice president of the Republic has the following duties and powers:
1) To immediately replace the president of the Republic in those cases described by this Constitution;
2) As designated by the president of the Republic, to represent him both domestically and internationally with full presidential prerogatives; and
3) To participate in the deliberations of the Council of Ministers and to coordinate relations between the executive and legislative branches.

Section II - About Cabinet Ministers and the Council of Ministers

Article 240. About Ministerial Functions

The conduction and management of public business is entrusted to ministers of the executive branch, whose number and functions are determined by law. During the temporary absence of a minister, he will be replaced by a vice minister of his area.

Article 241. About Requirements, Compatibility, and Immunity

To become a minister, one must meet the requirements to become a deputy. Ministers are also affected by the same causes for incompatibility affecting the president of the Republic, except that they may hold a teaching job. Ministers cannot be deprived of their freedom, except when they are involved in cases similar to those when members of Congress are not protected by their immunity.

Article 242. About the Duties and Powers of Ministers

Ministers are the chief administrators of their respective ministries in which, under the leadership of the president of the Republic, they promote and implement policies relating to matters falling within their jurisdiction.

Article 243. About the Duties and Powers of the Council of Ministers

When summoned by the president of the Republic, the ministers will convene as a council to coordinate executive activities, to promote the government policy, and to adopt collective decisions.

The Council is empowered to:
1) Deliberate matters of public interest submitted by the president of the Republic in its capacity as a consultative body, and to consider legislative initiatives; and
2) Periodically publish its resolutions.

Section III - About the Office of the Government Attorney for Patrimonial Affairs [de la Procuraduria General de la Republica]

Article 244. About Its Composition

The office of the Government Attorney for Patrimonial Affairs will comprise a government attorney and other officials established by law.

Article 245. About Requirements and Appointments

The Government Attorney for Patrimonial Affairs will have to meet the same requirements applicable to the Attorney General. He will be appointed and removed by the president of the Republic. The causes for incompatibility will be established by law.

Article 246. About his Duties and Powers

The Special Government Attorney for Patrimonial Affairs has the following duties and powers:
1) To represent and defend, both in court and out of court, the patrimonial interests of the Republic;
2) To issue opinions in cases and for the purposes established in the laws;
3) To give legal advice to the public administration institutions, as prescribed by the laws; and
4) Other duties and powers established by the laws.

Chapter III - About the Judicial Branch

Section I - About General Provisions

Article 247. About its Composition

The judicial branch is the guardian of the Constitution. It interprets the Constitution, complies with it, and orders its enforcement. The judicial branch is in charge of administering justice. It is exercised by the Supreme Court of Justice, and by appellate and lower courts as established by this Constitution and the laws.

Article 248. About the Independence of the Judicial Branch

The independence of the judicial branch is hereby guaranteed. Only the judicial branch may hear and decide on conflictive cases following the procedures established by the law and ensuring the right to defense and equitable solutions. This will not preclude, however, solutions through arbitration on cases falling within the framework of private law.

In no case will members of other branches of government or other officials claim to have judicial powers other than those expressly established by this Constitution, nor can they reopen closed cases, paralyze existing ones, or interfere in any way with ongoing court cases. Acts of this nature are completely null.

Those who seek to curtail the independence of the judicial branch will be ineligible to hold public office for five consecutive years, in addition to other penalties established by the law.

Article 249. About Budgetary Independence

The judicial branch will have its own budget. The National General Budget will allocate the judicial branch an amount that will not be lower than 3 percent of the central government's budget.

The judicial branch budget will be approved by Congress and the Comptroller General will verify all its expenses and investments.

Article 250. About Swearing-In Ceremonies

Justices of the Supreme Court of Justice will take the oath of office before Congress. All other judges will be sworn in before the Supreme Court of Justice.

Article 251. About Appointments

Members of appellate or lower courts of the Republic will be appointed by the Supreme Court of Justice from a list of three candidates proposed by the Council for Magistrates.

Article 252. About the Irremovability of Judges

A judge is irremovable from his post, seat, or rank during the term for which he has been appointed. He cannot be transferred or promoted without his prior, express consent. He is appointed for a five-year term, which begins on the day of his appointment.

Any judge confirmed for two terms following the term of his appointment will be irremovable from his post until he reaches the mandatory retirement age set for justices of the Supreme Court of Justice.

Article 253. About the Trial and Removal of Judges

Judges will be tried and removed from office for crimes or for malfeasance in office, as described in law through a decision of a Trial Jury For Magistrates [Jurado de Enjuiciamiento de Magistrados]. The jury will consist, on an ad hoc basis, of two justices of the Supreme Court of Justice, two members of the Council for Magistrates, and two senators and two deputies who must be attorneys. The functioning of the Trial Jury for Magistrates will be regulated by law.

Article 254. About Incompatibilities

While in office, judges may not hold another public or private office, whether remunerated or not, with the exception of part-time teaching or scientific research. They may not exercise any trade, industrial or professional activity, or hold an office in other official or private organizations, parties, or political associations or movements.

Article 255. About Immunities

No judge can be accused or interrogated in court for the opinions he may have expressed in the discharge of his duties. He will not be detained or arrested unless he is caught in flagrante delicto in relation to a crime meriting a prison sentence. In this case, the official intervening in the case will place the judge under house arrest, immediately report the case to the Supreme Court of Justice, and submit the case files to the competent judge.

Article 256. About Court Procedure

Court procedure will be orally and publicly held in the manner and to the extent established by law.

Every court ruling must be based on this Constitution and the law. Court rulings may be freely criticized.

Labor proceedings will be orally held and will be based on the principles of expeditiousness, economy, and concentration.

Article 257. About the Obligation To Cooperate With Justice

State organizations must be subordinated to the dictates of the law, and State officials must give each court every cooperation they may require.

Section II - About the Supreme Court of Justice

Article 258. Composition and Requirements

The Supreme Court of Justice consists of nine members. It is organized in chambers, one of which will hear constitutional matters. Every year, the members of the Supreme Court will elect one of the justices as their president. Members of the Supreme Court will have the title of minister.

To become a member of the Supreme Court of Justice, one must be: A natural Paraguayan citizen, 35 years old, hold a doctorate in law, and enjoy an honorable reputation. Additionally, one must have practiced law, held a court office, or held a teaching job at a law school for at least 10 years, either jointly, separately, or successively.

Article 259. About the Duties and Powers of the Supreme Court of Justice

The Supreme Court of Justice has the following duties and powers:

1) To supervise every judicial branch organization and to decide, on an unappealable basis, conflicts of jurisdiction and competence, in accordance with the law;
2) To issue its own bylaws and to submit an annual report to the legislative and executive branches on its activities, as well as on the status, and needs of the justice system;
3) To hear and decide the appeals established by law;
4) To hear and decide habeas corpus petitions with original jurisdiction, without detriment to the jurisdiction of other judges and courts;
5) To hear and decide cases of unconstitutionality;
6) To hear and decide on final sentences by virtue of its reviewing power in the manner and to the extent established by law;
7) Acting on its own or at the request of the Trial Jury for Magistrates, by an absolute majority of its members, it will preventively suspend those judges who are standing trial until a final decision is reached on their case;
8) To supervise detention centers and prisons;
9) To hear cases involving conflicts of jurisdiction between the executive branch and departmental governments, or between departmental and municipal governments; and
10) Other powers established by this Constitution and the law.

Article 260. About the Duties and Powers of the Constitutional Chamber

The Constitutional Chamber has the following duties and powers:

1) To hear and resolve cases involving the unconstitutionality of the law and of other related instruments, declaring inapplicability for each specific case of a legal provision that is contrary to this Constitution through rulings that will only affect the case in question; and
2) To decide on unconstitutionality of final or interlocutory decisions, nullifying those that contradict this Constitution. Petitions of unconstitutionality may be filed directly before the Constitutional Chamber or by way of defense before any other court and at any moment during a case. In such cases, the respective files will be submitted to the Supreme Court.

Article 261. About the Removal and Retirement of Supreme Court Justices

Justices of the Supreme Court of Justice may be removed only through impeachment. Their mandatory retirement age is 75.

Section III - About the Council for Magistrates

Article 262. About Its Composition

The Council for Magistrates consists of:

1) A member of the Supreme Court of Justice who has been designated by this Court;
2) A representative of the executive branch;
3) A senator and a deputy, chosen by their respective chambers;
4) Two practicing attorneys, chosen by their peers in a direct election;
5) A law professor at the Law Faculty of the National University, chosen by his colleagues; and
6) A law professor of a private law faculty that must have been functioning for at least 20 years, chosen by his colleagues;

The laws will regulate the appropriate systems of elections.

Article 263. About Requirements and Its Duration

The members of the Council for Magistrates must meet the following requirements:

One must be a Paraguayan citizen, at least 35 years old, have a university law degree, and, for at least 10 years, have been a practicing attorney or a law professor or have held a court office, whether simultaneously, separately, or successively.

The council lasts three years and its members will enjoy the same immunities applicable to the justices of the Supreme Court. Incompatibilities will be established by law.

Article 264. About the Duties and Powers of the Council for Magistrates

The Council for Magistrates has the following duties and powers:

1) To propose a list of three candidates—selected on the basis of their abilities, qualifications, and merits—for each seat of the Supreme Court of Justice, and to submit such lists to the Senate, which will appoint said justices with the concurrence of the executive branch;
2) To propose a list of three candidates, following the above selection criteria and guidelines, for each member of appellate and lower courts, as well as for members of the Attorney General's Office;
3) To draft its own bylaws; and
4) Other duties and powers established in this Constitution and the law.

Article 265. About the Court of Audit [Tribunal de Cuentas] and Auxiliary Courts and Organizations

The Court of Audit is hereby established. Its composition and jurisdiction will be established by law.

The structure and functions of the other judicial courts and auxiliary organizations, as well as of the judicial school, will be established by law.

Section IV - About the Attorney General's Office

Article 266. About Its Composition and Functions

The Attorney General's Office represents society before the State jurisdictional organizations. It enjoys functional and administrative independence in discharging its duties and in exercising its powers. It is exercised by the Attorney General and by state attorneys as established by law.

Article 267. About Requirements

To become Attorney General one must be a Paraguayan citizen, at least 35 years of age, have a law university degree, and, for at least five years, have been a practicing lawyer or a law professor or have held a court office; whether simultaneously, separately, or successively. The Attorney General has the same limitations and immunities as judges.

Article 268. About the Duties and Powers of the Attorney General's Office

The Attorney General's Office has the following duties and powers:

1) To safeguard respect for the law and for constitutional guarantees;
2) To exercise public criminal action to defend the property of the public and society, the environment, or other general interests, as well as the rights of Indian peoples;
3) To exercise criminal action in those cases in which the law does not require the affected party to press charges to start a prosecution. This will not preclude, however, the court or judge from acting ex officio, in accordance with the law;
4) To obtain information from public officials in order to adequately discharge its functions; and
5) Other duties and powers established by law.

Article 269. About the Election and Term of the Attorney General

The Attorney General is irremovable from office. His term will last five years and he may be reelected. He is appointed by the executive branch with the concurrence of the Senate from a list of three candidates proposed by the Council for Magistrates.

Article 270. About State Attorneys

State attorneys are appointed following the procedures established in this Constitution for the appointment of judges. Their term in office, as well as procedures for their removal, are also the same to those applicable to judges. Additionally, they have the same limitations and immunities established for judges.

Article 271. About Installation Ceremonies

The Attorney General will take the oath of office before the Senate, while State attorneys will do so before the Supreme Court of Justice.

Article 272. About a Judicial Police Body [Policia Judicial]

The law may create a judicial police body, subordinated to the judicial branch, which will cooperate directly with the Attorney General's Office.

Section V - About Electoral Justice

Article 273. About Its Jurisdiction

The calling of general, departmental, or municipal elections, as well as the judgment, organization, direction, and supervision of matters and actions related to elections, and the rights and titles of the winners of these elections, fall exclusively within the jurisdiction of the electoral courts.

Electoral courts also have jurisdiction over matters stemming from any type of popular consultation, as well as over elections in the way political parties and movements function.

Article 274. About Its Composition

Electoral justice consists of a Superior Electoral Court, lower courts, and state attorneys, as well as other organizations to be established by law, which will determine its organization and functions.

Article 275. About the Superior Electoral Court

The Superior Electoral Court will consist of three members who may be elected or removed following procedures established for the justices of the Supreme Court of Justice.

To be a member of the Superior Electoral Court one will have to meet the following requirements: be a Paraguayan citizen, be at least 35 years old, hold a law university degree and, for at least 10 years, have been a practicing attorney or a law professor or have held a court office, whether simultaneously, separately, or successively.

The laws will establish those cases in which decisions will be appealable before the Supreme Court of Justice, which will decide the appeal following summary proceedings.

Chapter IV - About Other State Organizations

Section I - About the Public Defender

Article 276. About the Public Defender

The Public Defender is a congressional commissioner charged with defending human rights, with channeling popular complaints, and with protecting community interests. In no case will he perform any judicial or executive function.

Article 277. About His Autonomy, Appointment, and Removal

The Public Defender is both autonomous and irremovable. He will be appointed by a two-thirds majority of the Chamber of Deputies from a list of three candidates proposed by the Senate. He will serve a five-year term, which will coincide with the congressional term. He may be reelected. He may also be removed for malfeasance in office following the impeachment proceedings established in this Constitution.

Article 278. About Requirements, Limitations, and Immunities

The Public Defender must meet the requirements applicable to deputies. He will be liable to the same limitations and immunities as judges. During his tenure, he may not hold any government office or engage in any type of political activity.

Article 279. About his Duties and Powers

The Public Defender has the following duties and powers:

1) To receive and to investigate reports or complaints of human rights violations, as well as other actions as established by this Constitution and the law;
2) To obtain information from officials at all levels, including police and security organizations in general, without any kind of restrictions, so that he may adequately discharge his functions. He will have access to places where human rights violations have been reported. He may also act ex officio;
3) To publicly criticize behavior or actions that are contrary to human rights;
4) To submit an annual report on his activities to the two chambers of Congress;
5) To prepare and to communicate reports on the status of those human rights that, in his opinion, require urgent public attention; and
6) Other duties and powers established by law.

Article 280. About the Regulation of his Functions

The functions of the Public Defender will be regulated by law to ensure his efficiency. Departmental or municipal defenders may be appointed.

Section II - About the Comptroller General of the Republic

Article 281. About the Nature of this Office, Its Composition, and Term

The Office of the Comptroller General of the Republic is charged with supervising State, departmental, and municipal economic and financial activities in the manner established by this Constitution and the law. It will enjoy functional and administrative autonomy.

The office will consist of a comptroller and deputy comptroller, who will be Paraguayan citizens, at 30 years old, who are graduates in law, economics, business administration, or accounting. Each will be appointed by the Chamber of Deputies, by an absolute majority, from a list of three candidates proposed, also by absolute majority, by the Senate.

The term of office will be five years, and their term will not coincide with that of the president of the Republic. They may be confirmed in their posts for one additional term, following the above procedures. During their tenure, they can be removed only for having committed a crime or for malfeasance in office.

Article 282. About Reports and Opinions

In his capacity as the chief administrator of the State, the president of the Republic will send—within four months into the next year—a report on the implementation of the budget of the previous year. Within the next four months, the comptroller will submit his own report and opinion to Congress so that the two chambers may consider it.

Article 283. About Duties and Powers

The Comptroller General of the Republic has the following duties and powers:

1) To control, monitor, and supervise public property and the assets of the State, of regional or departmental organizations, of municipalities, of the Central Bank or other state-owned or mixed banks, of autonomous, self-supported, or decentralized state-owned companies, and those of state-owned or mixed companies;
2) To control the implementation of, and prepare the final report on, the National General Budget;
3) To control the implementation of, and the final report on, the budgets of all of the organizations mentioned in Section I of this article and to review accounts, funds, or inventories;
4) To supervise the national accounts of multinational companies or agencies in which the State may own a share of capital assets, whether directly or indirectly, in accordance with the provisions of the respective treaties;
5) To request reports on fiscal and property management from any individual or public, mixed, or private company managing State funds or assets or public services, from regional or departmental organizations, and from municipal governments, all of which must make available to him all documents and papers required for him to adequately discharge his duties;
6) To receive sworn statements on assets by public officials, to establish registries for such statements, and to issue opinions on the equivalence between the statement on assets a public official signs upon his installation and the one he signs at the end of his tenure.
7) To report to the courts and to the executive branch on crimes that have come to his attention by reason of his specific activities, and he will be held liable, on omission or distortion charges, along with those organizations submitted to his control, if these organizations acted deficiently or negligently; and
8) Other duties and powers established by this Constitution and the law.

Article 284. About Immunities, Limitations, and Removal

The comptroller and deputy comptroller will have the same immunities and limitations prescribed for judges. They may be removed only through impeachment proceedings.

Section III - About the State Central Bank

Article 285. About the Nature, Duties, and Powers of the Central Bank

A State Central Bank, which will be a technical organization, is hereby established. It will be exclusively charged with issuing currency and, in accordance with the objectives of the national government's economic policy, will participate with other State technical organizations in formulating

monetary, credit, and foreign currency exchange policies. The State Central Bank will be responsible for the implementation and development of these policies and for preserving monetary stability.

Article 286. About Prohibitions

The State Central Bank is hereby prohibited from:

1) Issuing loans, either directly or indirectly, to finance unbudgeted public expenses, except for:
   a) Short-term advances of budgeted tax revenues for the respective year; and
   b) In case of a national emergency, through a substantiated resolution of the executive branch with the Senate's concurrence;
2) To make any decision that may establish, either directly or indirectly, different or discriminatory rules or requirements for individuals, institutions, or organizations engaging in operations of a similar nature; and
3) To operate with individuals or organizations outside the national or financial monetary system, with the exception of international organizations.

Article 287. About Its Organization and Functions

The law will regulate the organization and functions of the State Central Bank, within the limits established by this Constitution.

The State Central Bank will report to the executive branch and to Congress on the implementation of the policies entrusted to it.

Title III - About the State of Exception

Article 288. About Its Declaration, Causes, Enforcement, and Terms

In case of an armed international conflict, whether formally declared or not, or of a serious internal commotion that imposes an imminent threat to this Constitution or to the regular functioning of the organizations created by it, Congress or the executive branch may declare a state of exception, in part or in all of the national territory, for a maximum period of 60 days. If the declaration of a state of emergency is made by the executive branch, Congress will have to approve it or reject it within 48 hours.

The 60-day deadline may extended by successive periods of 30 days by an absolute majority of the two houses.

During a period of congressional recess, the executive branch may declare a state of exception only once and for no more than 30 days, but it will have to submit its decision to Congress within eight days. Congress, which may approve or reject the declaration, will automatically convene in a special session for the sole purpose of considering the declaration.

A decree or law declaring a state of exception will contain the reasons or causes prompting it, the duration of the state of exception, and the part of the territory affected, as well as the rights that will be restricted.

During the time a state of exception is in force, the executive branch may order, by decree and on a case-by-case basis, the following measures: The detention of people suspected of participating in these events, their transfer from one place of the territory of the Republic to another, as well as prohibitions or restrictions of public meetings or demonstrations.

In all these cases, a suspect will always have the option to leave the country.

The executive branch will immediately inform the Supreme Court of Justice on the status of those detained by virtue of the state of exception and on their place of detention or banishment, in order to make a court inspection feasible.

Those detained by virtue of a state of exception will be held in healthy, clean quarters, which will be different from those used to house common criminals, or they will be held under house arrest. Banishments will be served in populated, healthy areas.

A state of exception will not disrupt the functioning of the branches of government or the provisions of this Constitution, particularly that concerning habeas corpus.

By an absolute majority vote, Congress may at any time order the lifting of a state of exception if it considers that the causes that prompted it have disappeared.

Within five days of lifting a state of exception, the executive branch will inform Congress on the activities it carried out during the state of exception.

Title IV - About Constitutional Reform and Amendments

Article 289. About Reforms

This Constitution may be reformed only 10 years after its promulgation.

Its reform may be requested by 25 percent of the members of any of the two chambers of Congress, by the president of the Republic, or by 30,000 voters through a signed petition.

By a two-thirds absolute majority vote of their members, the two chambers of Congress may declare the need for constitutional reform.

Once the need for the reform has been declared, the Superior Electoral Court will call general elections that must not coincide with any other scheduled election within a period of 180 days.

The number of members of the National Constituent Assembly will not exceed the total number of the members of Congress. The causes for their ineligibility or incompatibility will be established by law.

Members of a constituent assembly will enjoy the same immunities established for members of Congress.

As soon as the new Constitution is approved by the National Constituent Assembly, it will be considered to have been automatically promulgated.

Article 290. About Amendments

This Constitution may be amended three years after it has been promulgated, at the initiative of one-fourth of the

members of any of the two chambers of Congress, of the president of the Republic, or of 30,000 voters through a signed petition;

The full text of the amendment will have to be approved by an absolute majority by the originating chamber. A similar procedure will be followed at the reviewing chamber. If the majority required for its approval is not met in either of the two chambers, it will be considered that the proposed amendment has been rejected, and it may not be proposed again within a period of one year.

If the amendment has been approved by the two chambers of Congress, the full text of it will be submitted to the Superior Electoral Court, which, within a period of 180 days, will call a referendum. If the outcome of the referendum is in favor of the amendment, it will be considered that it has been approved and promulgated and considered part of the Constitution.

If the amendment repeals any provision of the Constitution, no amendment may again be proposed on the same subject for three years.

The procedures established for the reform of the Constitution, rather than those established for its amendment, will be followed with regard to those provisions affecting the election, composition, term in office, or powers of any of the branches of government or the provisions of Chapters I, II, III and IV of Title II of Part I.

Article 291. About the Powers of the National Constituent Assembly

The National Constituent Assembly is independent from the branches of government. While it is in session, it will limit its action to reforming the Constitution and will refrain from engaging in any other task. It will not claim for itself the powers of the branches of government, and it will neither replace nor reduce or extend the term in office of incumbent officials.

Title V - About Final and Temporary Provisions

Article 1.

This Constitution becomes effective today. It will be automatically promulgated at midnight today.

The process followed to draft this Constitution, its approval, promulgation, and its provisions are not subject to review by any jurisdictional body or to any changes, with the exception of the previsions for its reform or amendment.

Article 2.

The president of the Republic, the president of Congress, and the chief justice of the Supreme Court will pledge allegiance to this Constitution before the National Constituent Assembly on 20 June 1992.

Article 3.

The president of the Republic, senators and deputies will stay in their respective offices until their successors are elected in the general elections scheduled for 1993. Their duties and powers are those established in this Constitution, both for the president of the Republic and for the members of Congress, which cannot be dissolved.

Until the senators and deputies elected in the 1993 general elections are installed, the process for the discussion and approval of laws will conform to the provisions of Articles 154/167 of the 1967 Constitution.

Article 4.

The next elections for president and vice president of the Republic, for senators and deputies, and for governors and members of departmental boards will be held simultaneously on a date set by the Electoral Board of the Capital, which must call these elections within the 15 April-15 May period in 1993. The officials elected in these elections will be inaugurated on 15 August 1993, with the exception of the members-elect of Congress, who will be inaugurated on 1 July 1993.

Article 5.

All judges and other officials will stay in office until the completion of the term set for them under the 1967 Constitution. If their successors have not yet been appointed by the time their 1967 Constitution term is up, they will stay in office temporarily until their successors are appointed.

They may be replaced by other officials or judges who will stay in office temporarily in accordance with the mechanisms established by the 1967 Constitution. Those acting officials or judges will stay in office until their replacements are appointed in accordance with the mechanisms established by this Constitution.

The comptroller general and the deputy comptroller general will also stay in office until the officials mentioned in Article 281 of this Constitution are appointed.

Article 6.

Until the 1993 general elections, the president and vice president of the Republic, senators and deputies, governors and members of departmental boards, and the members of the following current electoral bodies will stay in office. The Central Electoral Board, district electoral boards, and electoral courts, in accordance with those provisions of the electoral code, may not contradict this Constitution.

Article 7.

No appointments will be made to fill the positions of officials or judges whose appointment requires the participation of Congress or of any of its chambers, of officials of institutions created by this Constitution, or of institutions having a different composition from that established under the 1967 Constitution, until after the national authorities elected in 1993 have been inaugurated, with the exception of the provisions of Article 9 of this title.

Article 8.

Those judges who have been confirmed in keeping with the regular mechanisms established by this Constitution will be entitled to the permanent irremovability status mentioned under Section 2 of Article 252 "About the Irremovability of Judges," following a second confirmation in office.

Article 9.

The members of the Trial Jury for Magistrates will be appointed based on proposals submitted by the respective branches of government within 60 days after the promulgation of this Constitution. Until the members of the Council for Magistrates are appointed, the council will be manned by one law professor for each law faculty. Each professor will be nominated by the respective faculty board. This jury will hear and pass judgment on all pending charges against judges that have not yet been decided by the Supreme Court of Justice. Until the respective law is passed, the proceedings will conform to the provisions of Law 879/81, the Code on Judicial Organization.

The term in office of the members of the Trial Jury for Magistrates appointed under the terms of this article will be established by law.

Article 10.

Until the Special Attorney for Patrimonial Affairs is appointed, incumbent officials will have the powers established under Article 246.

Article 11.

Until a departmental organizational law is passed, governors-elect and members-elect of departmental boards will guide their actions through the provisions of this Constitution alone.

Incumbent executive branch delegates and those who held the same office in 1991 and 1992 may not run for governor or deputy in the 1993 elections.

Until a departmental organizational law is passed, the departmental boards will consist of a minimum of seven members and a maximum of 21. The Electoral Board of Asuncion will determine the number of members of the departmental boards taking into account the number of voters residing in each department.

Article 12.

Legal ownership of the current facilities of executive branch delegates will be automatically transferred without charge to the respective departmental governments.

Article 13.

If by 1 October 1992, the Chaco and Nueva Asuncion departments are still not electorally organized, the two deputies corresponding to these departments will be assigned to the departments of Presidente Hayes, Boqueron, and Alto Paraguay, in accordance with the number of voters residing in each department.

Article 14.

The office of senator for life will be held by the citizen holding the office of president of the Republic at the time of the approval of this Constitution, but it will not be extended to any previous president.

Article 15.

Until such time in which another Constituent Assembly is held, those who participate in this Constituent Assembly will bear the title of "Citizen Delegate to the Constituent Assembly."

Article 16.

Those items that were purchased by the Constituent Assembly or that were donated to it will be transferred without charge to the legislative branch.

Article 17.

The deposit and conservation of all the documents produced by the National Constituent Assembly, such as diaries and minutes of plenary sessions and those of the drafting committee, will be entrusted to the State Central Bank, in the name of and at the disposal of the legislative branch, until such time as when, by law, they are sent to the National Archives.

Article 18.

The executive branch will immediately arrange the publication of 10,000 official copies of this Constitution in Spanish and Guarani.

In case of doubt, the Spanish version will prevail.

The study of the Constitution will be promoted through the educational system.

Article 19.

The current constitutional term will also be taken into account for the purpose of the limits established by this Constitution for the reelection of elective officials of the various branches of government.

Article 20.

The president and secretaries of the National Constituent Assembly will sign all of the pages of the original of this Constitution. The single document, which may also be signed by any Constituent Assembly delegate, will be then entrusted to the legislative branch for safe keeping.

This Constitution is hereby approved. Given at the Session Room of the National Constituent Assembly in Asuncion, capital of the Republic of Paraguay, on 20 June 1992.